BEFORE THE WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the Petition of) DOCKET TG-080770
POINTS RECYCLING AND REFUSE, LLC d/b/a POINT RECYCLING & REFUSE; POINT RECYCLING AND REFUSE,) ORDER 01))
Petitioner,)) ORDER GRANTING EXEMPTION
Seeking Exemption from the provisions of) FROM RULE; GRANTING
WAC 480-70-071 Relating to Filing of) COMPANY ADDITIONAL TIME TO
Annual Reports by Solid Waste Companies) FILE ANNUAL REPORT
)

BACKGROUND

- On April 30, 2008, Points Recycling and Refuse, LLC, (Points Recycling and Refuse or Company), filed with the Washington Utilities and Transportation Commission (Commission) a petition requesting an extension of time to file its 2007 annual report as required by WAC 480-70-071. The Company stated that it has not yet closed its books for 2007 and it is seeking an extension until July 1, 2007, to complete its annual report. The Company has paid its regulatory fees for 2007.
- 2 Commission Staff reviewed the request and recommended granting the Company's request for exemption, subject to the following condition: that Points Recycling and Refuse file its 2007 annual report no later than July 1, 2008.

FINDINGS AND CONCLUSIONS

- The Washington Utilities and Transportation Commission is an agency of the State of Washington vested by statute with the authority to regulate the rates, rules, regulations, practices, accounts and affiliated interests of public service companies, including solid waste companies. *RCW* 80.01.040, *RCW* 81.01, *RCW* 81.04, *RCW* 81.16, *RCW* 81.28 and *RCW* 81.77.
- 4 (2) Points Recycling and Refuse is a solid waste company and a public service company subject to Commission jurisdiction.

Points Recycling and Refuse is subject to WAC 480-70-071, which requires solid waste companies to file an annual report by May 1 of each year.

- 6 (4) Under WAC 480-70-071 (1)(c), the Commission may grant an extension of time allowing the Company to file its annual report after the May 1 due date if the Commission receives a request for extension before May 1.
- 7 (5) This matter came before the Commission at its regularly scheduled meeting on May 15, 2008.
- 8 (6) After reviewing Points Recycling and Refuse's petition filed in Docket TG-080770 on April 30, 2008, and giving due consideration, the Commission finds that the exemption is reasonable and should be granted.

ORDER

THE COMMISSION ORDERS:

- 9 (1) The exemption Points Recycling and Refuse, LLC, requests for an extension of time until July 1, 2008, to file its 2007 annual report is granted.
- 10 (2) Failure of Points Recycling and Refuse, LLC, to file its 2007 annual report by July 1, 2008, may result in the Commission invoking RCW 81.04.405, which allows the Commission to assess penalties for violations of statute, rule, and Commission orders.
- 11 (3) The Commission retains jurisdiction over the subject matter and Points Recycling and Refuse, LLC, to effectuate the provisions of this Order.

The Commissioners, having determined this Order to be consistent with the public interest, directed the Executive Secretary to enter this Order.

DATED at Olympia, Washington, and effective May 15, 2008.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Executive Secretary