

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of

WASTE MANAGEMENT OF
WASHINGTON, INC. d/b/a WASTE
MANAGEMENT OF GREATER
WENATCHEE,

Petitioner,

Seeking Exemption from the Provisions of
WAC 480-70-351(2) Relating to
Recycling Credits or Charges

DOCKET TG-190994

ORDER 01

GRANTING EXEMPTION FROM
RULE; ALLOWING TARIFF
REVISIONS TO BECOME
EFFECTIVE BY OPERATION OF
LAW

BACKGROUND

- 1 On November 26, 2019, Waste Management of Washington, Inc., d/b/a Waste Management of Greater Wenatchee, (Waste Management of Greater Wenatchee or Company) filed with the Washington Utilities and Transportation Commission (Commission) a petition requesting an exemption from WAC 480-70-351(2).
- 2 WAC 480-70-351(2) requires solid waste companies that estimate the revenue from the sales of recyclable materials collected in residential curbside programs as part of a deferred accounting program to return recycling revenues or charges to customers must use the most recent 12-month historical period to estimate the revenue for the next 12 months.
- 3 Waste Management of Greater Wenatchee asserts that the recycling commodity markets remain volatile, and a shorter projection period for calculating commodity adjustments would avoid large swings in the credit or debit to customers based on changing commodity values. Due to the decreased value of recyclable commodities, the Company seeks approval to use a 6-month, rather than 12-month, average to calculate its proposed recycling commodity adjustment.
- 4 Commission staff (Staff) reviewed the request and determined that granting Waste Management of Greater Wenatchee's request for exemption from the 12-month historical period requirement is reasonable. Staff recommends granting Waste Management of Greater Wenatchee's request for exemption.

DISCUSSION

5 We agree with Staff's recommendation and grant Waste Management of Greater
Wenatchee's Petition for exemption from WAC 480-70-351(2). Using the most recent
6-month historical period to estimate revenues is reasonable because it reflects a more
realistic estimate of recyclable commodity revenue. Accordingly, we find that granting
the Company's request for an exemption is consistent with the public interest, the
purposes underlying regulation, and applicable statutes.¹

FINDINGS AND CONCLUSIONS

- 6 (1) The 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.
- 7 (2) Waste Management of Greater Wenatchee is engaged in the business of providing
solid waste services within the state of Washington and is a public service
company subject to Commission jurisdiction.
- 8 (3) Waste Management of Greater Wenatchee is subject to WAC 480-70-351(2),
which requires solid waste companies that estimate the revenue from the sale of
recyclable materials collected in residential curbside programs as part of a
deferred accounting program to return recycling revenues or charges to customers
must use the most recent twelve-month historical period to estimate the revenue
for the next twelve months.
- 9 (4) Under WAC 480-70-051, the Commission may grant an exemption from the
provisions of any rule in WAC 480-70 if doing so is consistent with the public
interest, the purposes underlying regulation, and applicable statutes. See also
WAC 480-07-110.
- 10 (5) Staff recommends the Commission grant Waste Management of Greater
Wenatchee's request for exemption from WAC 480-70-351(2).
- 11 (6) This matter came before the Commission at its regularly scheduled meeting on
January 23, 2020.

¹ See WAC 480-70-051 and WAC 480-07-110.

- 12 (7) After review of the petition filed in Docket TG-190994 by Waste Management of Greater Wenatchee on November 26, 2019, and giving due consideration, the Commission finds that granting the exemption is in the public interest, that it is consistent with the purposes underlying the regulation and applicable statutes, and that it should be granted.

ORDER

THE COMMISSION ORDERS:

- 13 (1) Waste Management of Washington, Inc., d/b/a Waste Management of Greater Wenatchee's petition for exemption from WAC 480-70-351(2) is GRANTED. Waste Management of Greater Wenatchee may use the most current 6 month of historical revenues to calculate its recycling commodity adjustment.
- 14 (2) The tariff filed by Waste Management of Washington, Inc., d/b/a Waste Management of Greater Wenatchee, on November 26, 2019, will become effective on February 1, 2020, by operation of law.
- 15 (3) The Commission retains jurisdiction over the subject matter and Waste Management of Washington, Inc., d/b/a Waste Management of Greater Wenatchee, to effectuate the provisions of this Order.

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

DATED at Lacey, Washington, and effective January 23, 2020.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARK L. JOHNSON,
Executive Director and Secretary