
SENATE BILL 5447

State of Washington 53rd Legislature 1993 Regular Session

By Senator Fraser; by request of Utilities & Transportation Commission

Read first time 01/28/93. Referred to Committee on Ecology & Parks.

1 AN ACT Relating to the review of solid waste collection company
2 tariff filings by the utilities and transportation commission; and
3 amending RCW 81.04.130 and 81.28.050.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 81.04.130 and 1984 c 143 s 1 are each amended to read
6 as follows:

7 Whenever any public service company, other than a railroad company,
8 files with the commission any schedule, classification, rule, or
9 regulation, the effect of which is to change any rate, fare, charge,
10 rental, or toll previously charged, the commission has power, either
11 upon its own motion or upon complaint, upon notice, to hold a hearing
12 concerning the proposed change and the reasonableness and justness of
13 it. Pending the hearing and the decision the commission may suspend
14 the operation of the rate, fare, charge, rental, or toll, if the change
15 is proposed by a common carrier subject to the jurisdiction of the
16 commission, other than a solid waste collection company, for a period
17 not exceeding seven months, and, if proposed by a (~~public service~~
18 ~~company other than such a common carrier~~) solid waste collection
19 company, for a period not exceeding ten months from the time the change

1 would otherwise go into effect. After a full hearing the commission
2 may make such order in reference to the change as would be provided in
3 a hearing initiated after the change had become effective.

4 At any hearing involving any change in any schedule,
5 classification, rule, or regulation the effect of which is to increase
6 any rate, fare, charge, rental, or toll theretofore charged, the burden
7 of proof to show that such increase is just and reasonable is upon the
8 public service company. When any common carrier subject to the
9 jurisdiction of the commission files any tariff, classification, rule,
10 or regulation the effect of which is to decrease any rate, fare, or
11 charge, the burden of proof to show that such decrease is just and
12 reasonable is upon the common carrier.

13 **Sec. 2.** RCW 81.28.050 and 1984 c 143 s 5 are each amended to read
14 as follows:

15 Unless the commission otherwise orders, no change may be made in
16 any classification, rate, fare, charge, rule, or regulation filed and
17 published by a common carrier other than a rail carrier, except after
18 thirty days' notice to the commission and to the public. In the case
19 of a solid waste collection company, no such change may be made except
20 after forty-five days' notice to the commission and to the public. The
21 notice shall be published as provided in RCW 81.28.040 and shall
22 plainly state the changes proposed to be made in the schedule then in
23 force and the time when the changed rate, classification, fare, or
24 charge will go into effect. All proposed changes shall be shown by
25 printing, filing, and publishing new schedules or shall be plainly
26 indicated upon the schedules in force at the time and kept open to
27 public inspection. In the case of a change proposed by a rail carrier,
28 except for changes to rail contracts between a rail carrier and a
29 shipper authorized under RCW 81.34.070, which changes become effective
30 in accordance with that section, a proposal resulting in a rate
31 increase or a new rate shall not become effective for twenty days after
32 the notice is published, and a proposal resulting in a rate decrease
33 shall not become effective for ten days after the notice is published.
34 The commission, for good cause shown, may by order allow changes in
35 rates without requiring the notice and the publication time periods
36 specified in this section. When any change is made in any rate, fare,
37 charge, classification, rule, or regulation, attention shall be
38 directed to the change by some character on the schedule. The

1 character and its placement shall be designated by the commission. The
2 commission may, by order, for good cause shown, allow changes in any
3 rate, fare, charge, classification, rule, or regulation without
4 requiring any character to indicate each and every change to be made.

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