

**GOVERNMENT OF THE VIRGIN ISLANDS
OF THE UNITED STATES**

Public Services Commission

IN RE:	)	Order No. <u>54</u> /2018
	)	Docket No. 650
APPLICATION OF VIRGIN ISLANDS WASTE	)	
MANAGEMENT AUTHORITY FOR SOLID	)	
WASTE TIPPING FEES	)	
	)	
	)	Docket No. 661
	)	
APPLICATION OF VIRGIN ISLANDS WASTE	)	
MANAGEMENT AUTHORITY FOR SEPTAGE	)	
WASTE DISPOSAL FEES	)	
	)	

ORDER¹

WHEREAS, on October 9, 2015, the Virgin Islands Waste Management Authority's (hereinafter "Authority" or "WMA") submitted an Application for Solid Waste Tipping Fees to the Virgin Islands Public Services Commission (hereinafter "PSC" or "Commission"); and

WHEREAS, on April 20, 2016, after holding public hearings, receiving testimony from the public and PSC's consultant, and after the presentation of the report of the Hearing Examiner, the PSC approved the recommendations and rates for various forms of solid waste, the PSC accepted the recommendations of the Hearing Examiner and approved the tipping fees (*Order no. 50/2016*); and

WHEREAS, on June 14, 2017, WMA's Executive Director, Mr. Roger Merritt submitted a request acknowledging that WMA was unable to accurately measure waste by weight and sought approval to temporarily collect the previously approved tipping fees using volume to waste conversion factors (as provided by the U.S. Environmental Protection Agency) for the period from July 1, 2017 to December 31, 2017, until WMA's infrastructure is in place to assess the fees via weight; and

WHEREAS, on June 27, 2017, after review and deliberation, the Commission voted to approve WMA's request to bill under the proposed methodology of volume to waste, for the islands of St. Thomas and St. John for the period stated above, and that the previously approved methodology be implemented on the island of St. Croix for a period not to exceed six (6) months (*Order No. 62/2017*); and

¹ These dockets are being consolidated for this Order only.

WHEREAS, the Virgin Islands suffered the impacts of Hurricanes Irma and Maria in September 2017, which effectively shut down normal governmental operations for an extended period and which imposed additional burdens on the Waste Management Authority; and

WHEREAS, a year has now passed since the passage of Hurricane Irma and Maria and the temporary approval of the interim measures have long expired; and

WHEREAS, on August 21, 2018, the Commission held its regular meeting in the Commission's office on St. Thomas and at the Virgin Islands Port Authority Conference Room on St. Croix, United States Virgin Islands; and

WHEREAS, WMA was invited to testify on the implementation of the solid waste tipping fees and the septage waste disposal fees; and

WHEREAS, WMA did not appear to testify or provide written notice of its inability to attend;

WHEREAS, the delayed implementation of the solid waste tipping fees and the septage waste disposal fees is of great concern to the Commission;

NOW THEREFORE, the Commission hereby orders that:

1. The agenda items regarding WMA on the agenda for the Commission's regular meeting on August 21, 2018 will be tabled until its next meeting on September 25, 2018, at which meeting the Waste Management Authority shall appear.

So Ordered.

For the Commission,

Date: **September 19, 2018**



Raymond J. Williams, Chair