

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION
COMMISSION

WASHINGTON UTILITIES AND)	
TRANSPORTATION COMMISSION,)	
)	DOCKET TG-010611
Complainant,)	
)	COMPLAINT AND ORDER
v.)	SUSPENDING TARIFF
)	REVISIONS
Brem-Air Disposal, Inc., G-38)	
)	
Respondent.)	
)	
.....)	

BACKGROUND

- 1 On April 30, 2001, Brem-Air Disposal, Inc., G-38, (Brem-Air) filed with the Washington Utilities and Transportation Commission a proposed new Tariff No. 16 for Brem-Air with a stated effective date of June 15, 2001. A Less Than Statutory Notice (LSN) request accompanied the filing seeking an earlier effective date of June 1, 2001. The Commission took no action on the LSN request at its Open Public Meeting of May 30, 2001.

- 2 The filing was made in compliance with the Fourth Supplemental Order dated May 27, 1999, in Causes TG-981565 (Brem-Air) and TG-981566 (North Sound Sanitation, Inc., G-59 (North Sound) which directed the company to refile in two years. Tariff 16 replaces Brem-Air Tariff No. 15 and North Sound Tariff No. 9. North Sound has since merged with Brem-Air and assumed its G-38 solid waste certificate and tariff.

- 3 The new Tariff 16 consists of a general rate increase proposing to increase all residential and commercial rates by 7.89 %.

- 4 The filing would increase charges and rates for service provided by Brem-Air. Because those increases might injuriously affect the rights and interests of the public and Brem-Air has not demonstrated that the increases would result in rates that are fair, just, and reasonable, the Commission suspends the tariff filing and will hold public hearings if necessary to determine whether the proposed increases are fair, just, reasonable, and sufficient.

FINDINGS

- 5 (1) Brem-Air is a solid waste company and is a public service company subject to the jurisdiction of the Commission.

- 6 (2) The tariff revisions filed by Brem-Air on April 30, 2001 would increase the charges and rates for service provided by Brem-Air, and might injuriously

affect the rights and interests of the public.

- 7 (3) Brem-Air has not demonstrated that the increased rates and charges in its
tariff revisions would result in rates that are fair, just, reasonable, and
sufficient.
- 8 (4) As required by RCW 81.04.130, Brem-Air bears the burden of proof to
show that the proposed increases are fair, just, and reasonable.
- 9 (5) In order to carry out the duties imposed upon the Commission by law, and as
authorized in RCW 81.20.020, the Commission believes it necessary to
investigate Brem-Air's books, accounts, practices and activities; to make a
valuation or appraisal of Brem-Air's property; and to investigate and appraise
various phases of Brem-Air's operations. Brem-Air may be required to pay
the expenses reasonably attributable and allocable to the investigation to the
extent the requirements for such payment are consistent or authorized by
chapter 81.20 RCW.

O R D E R

THE COMMISSION ORDERS:

- 10 (1) The tariff revisions filed on April 30, 2001, are suspended.
- 11 (2) The Commission will hold hearings at such times and places as may be
required.
- 12 (3) Brem-Air must not change or alter the tariff revisions filed in this docket
during the suspension period, unless authorized by the Commission.
- 13 (4) The Commission will institute an investigation of Brem-Air's books,
accounts, practices, activities, property and operations, as described above.
- 14 (5) Brem-Air may be required to pay the expenses reasonably attributable and
allocable to the Commission's investigation to the extent the requirements for
such payment are in accordance with the provisions of chapter 81.20 RCW.

DATED at Olympia, Washington, and effective this 13th day of June, 2001

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARILYN SHOWALTER, Chairwoman

RICHARD HEMSTAD, Commissioner