

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION,)	DOCKET TG-112169
)	
Complainant,)	ORDER 01
)	
v.)	
)	
PULLMAN DISPOSAL SERVICE, INC., G-42)	COMPLAINT AND ORDER
)	SUSPENDING TARIFF; ALLOWING
Respondent.)	RATES ON A TEMPORARY BASIS,
)	SUBJECT TO REFUND
.....)	

BACKGROUND

- 1 On December 16, 2011, Pullman Disposal, Inc. (Pullman or Company), filed with the Washington Utilities and Transportation Commission (Commission) revisions to its currently effective Tariff No. 6 designated as 20th Revised Page 2, 1st Revised Page 20, 2nd Revised Page 21, 2nd Revised Page 23, 2nd Revised Page 24, 3rd Revised Page 25, 4th Revised Page 26, 2nd Revised Page 27, 3rd Revised Page 29, 4th Revised Page 30, 2nd Revised Page 31, 4th Revised Page 33, 3rd Revised Page 35, 2nd Revised Page 36, 2nd Revised Page 38, 1st Revised Page 39, 2nd Revised Page 40, 2nd Revised Page 41, 3rd Revised Page 42, 3rd Revised Page 43, 3rd Revised Page 44, 3rd Revised Page 45, 4th Revised Page 46, 3rd Revised Page 47, 2nd Revised Page 48, and 2nd Revised Page 49. The stated effective date is February 1, 2012.
- 2 In this filing, Pullman proposes a general rate increase for residential, commercial and drop box garbage service due, in part, to a February 1, 2012, increase in Whitman County disposal fees. Pullman’s proposed rates are designed to generate approximately \$175,000 (4.6 percent) additional annual revenue.
- 3 Staff has not completed its analysis of the Company’s proposed rates and recommended that the Commission suspend the December 16, 2011, tariff filing.
- 4 If the Commission suspends a tariff that includes rates to recover disposal fees, RCW 81.77.160 requires the Commission to allow the rates related to the disposal fees to

become effective on the originally filed effective date on an interim basis, subject to refund, pending the Commission's final order.

- 5 On January 23, 2012, the Company filed revised rates to recover just the disposal increase portion of the proposed rates. The revised rates are designated as 21st Revised Page 2, 4th Revised Page 25, 5th Revised Page 26, 4th Revised Page 29, 5th Revised Page 30, 5th Revised Page 33, 4th Revised Page 42, 4th Revised Page 43, 5th Revised Page 46, and 4rd Revised Page 47. The revenue impact of the disposal increase is approximately \$52,000 of additional annual revenue. Staff recommends that the Commission allow Pullman to file revised tariff pages that increase rates to recover only increased disposal fees, and that the Commission suspend those pages and allow them to become effective on February 1, 2012, on a temporary basis, subject to refund.
- 6 Pullman notified its customer of the proposed rate increase by mail on December 31, 2011. The Commission received no comments from customers concerning Pullman's original December 16, 2011, filing.
- 7 The proposed revised rates might injuriously affect the rights and interests of the public. The Commission therefore suspends the tariff pages filed on December 16, 2011, and January 23, 2012, and allows the revised pages filed on January 23, 2012, to become effective on a temporary basis, subject to refund.

FINDINGS AND CONCLUSIONS

- 8 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington vested by statute with the authority to regulate the rates, 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.*
- 9 (2) Pullman is a solid waste company and public service company subject to Commission jurisdiction.
- 10 (3) These matters came before the Commission at its regularly scheduled meeting on January 26, 2012.

- 11 (4) The tariff revisions Pullman filed on December 16, 2011, increase rates for residential and commercial garbage and drop box collection services. The revised tariff pages filed on January 23, 2012, increase rates to recover just disposal fees.
- 12 (5) Pullman has not yet demonstrated that the proposed rates are fair, just, reasonable and sufficient. The Commission finds it reasonable to allow the revised rates that recover only the increased disposal fees as filed on January 23, 2012, to become effective on February 1, 2012, on a temporary basis, subject to refund.
- 13 (6) In addition, the Commission invokes the rights, remedies and procedures contained in the reparations statute, RCW 81.04.220, to the extent the Commission finds that any rate subject to this investigation is excessive or exorbitant.
- 14 (7) Pullman may be required to pay the expenses reasonably attributable and allocable to such an investigation consistent with RCW 81.20.

ORDER

THE COMMISSION ORDERS:

- 15 (1) The tariff revisions Pullman Disposal Service, Inc., filed on December 16, 2011, and January 23, 2012, are suspended.
- 16 (2) The revised tariff pages Pullman Disposal Service, Inc., filed on January 23, 2012, shall become effective on February 1, 2012, on a temporary basis, subject to refund if the Commission determines that different rates will be fair, just, reasonable and sufficient.
- 17 (3) The Commission may hold hearings if needed at such times and places as required.
- 18 (4) Pullman Disposal Service, Inc., must not change or alter the tariff pages filed in this docket during the suspension period, unless the Commission authorizes the change in this docket.

- 19 (5) The Commission will institute an investigation of Pullman Disposal Service, Inc.'s books, accounts, practices, activities, property and operations as necessary and as described above.
- 20 (6) Pullman Disposal Service, Inc., shall pay the expenses reasonably attributable and allocable to the Commission's investigation, consistent with RCW 81.20.

DATED at Olympia, Washington, and effective January 26, 2012.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

JEFFREY D. GOLTZ, Chairman

PATRICK J. OSHIE, Commissioner

PHILIP B. JONES, Commissioner