

**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND)	DOCKET TG-060793
TRANSPORTATION COMMISSION,)	
)	ORDER 01
Complainant,)	
)	
v.)	
)	
FIORITO ENTERPRISES, INC., &)	COMPLAINT AND ORDER
RABANCO COMPANIES, G-60 d/b/a)	SUSPENDING TARIFF; ALLOWING
Kent-Meridian Disposal)	RATES JULY 1, 2006, ON A
)	TEMPORARY BASIS SUBJECT TO
Respondent.)	REFUND
.....)	

BACKGROUND

- 1 On May 15, 2006, Fiorito Enterprises, Inc., & Rabanco Companies, G-60, d/b/a Kent-Meridian Disposal (KMD) filed with the Washington Utilities and Transportation Commission (Commission) revised pages to Tariff No. 27. The stated effective date is July 1, 2006.
- 2 The filing would:
- 3 (1) Increase the recycling commodity adjustment to a \$1.24 credit per month for residential curbside can customers and \$0.25 per yard credit for multi-family customers with container service.
- 4 (2) Continue the thirty percent recycle revenue sharing under the provisions of RCW 81.77.185.
- 5 King County Solid Waste officials are not yet ready to make a recommendation regarding KMD's continued participation in the revenue sharing program. They expect to complete their review of KMD's performance shortly.
- 6 KMD has not therefore demonstrated that the deferred credits for curbside recycling and multi-family recycling are fair, just and reasonable. Those items might injuriously affect the rights and interests of the public. The Commission therefore suspends the tariff filings, but allows the rates to become effective on July 1, 2006, on a temporary basis

subject to refund. Public hearings may be held to determine whether the proposed changes are fair, just, and reasonable.

FINDINGS AND CONCLUSIONS

- 7 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington vested by statute with the authority to regulate rates, regulations, practices, accounts, securities, affiliated transactions, and transfers of public service companies, including solid waste companies. *RCW 80.01.040; Chapter 81.01 RCW; Chapter 81.04 RCW; Chapter 81.28 RCW; Chapter 81.16 RCW; and Chapter 81.77 RCW.*
- 8 (2) Fiorito Enterprises, Inc., & Rabanco Companies, d/b/a Kent-Meridian Disposal is a solid waste company and is a public service company subject to the jurisdiction of the Commission.
- 9 (3) This matter was brought before the Commission at its regularly scheduled meeting on June 28, 2006.
- 10 (4) The tariff revisions filed by Fiorito Enterprises, Inc., & Rabanco Companies, d/b/a Kent-Meridian Disposal on May 15, 2006, increase residential recycling commodity deferred credits, and deferred credits for multi-family customers.
- 11 (5) Fiorito Enterprises, Inc., & Rabanco Companies, d/b/a Kent-Meridian Disposal has not yet demonstrated that the provisions for residential deferred credits, and deferred credits for multi-family recycling are fair, just, reasonable, and sufficient. The Commission finds it reasonable to allow the rates to become effective July 1, 2006, on a temporary basis subject to refund. King County will inform the Commission of its recommendations as to KMD's extent of commodity value revenue sharing shortly.
- 12 (6) Fiorito Enterprises, Inc., & Rabanco Companies, d/b/a Kent-Meridian Disposal may be required to pay the expenses reasonably attributable and allocable to such an investigation to the extent the requirements for such payment are in accordance with the provisions of Chapter 81.20 RCW.

ORDER

THE COMMISSION ORDERS:

- 13 (1) The tariff revision(s) filed on May 15, 2006, related to residential curbside deferred credits and deferred credits for multi-family customers are suspended.
- 14 (2) The suspended rates and commodity credits should be allowed to become effective July 1, 2006, on a temporary basis subject to refund, for the benefit of customers receiving the credits.
- 15 (3) The Commission may hold hearings if needed at such times and places as required.
- 16 (4) Fiorito Enterprises, Inc., & Rabanco Companies, d/b/a Kent-Meridian Disposal must not change or alter the tariffs filed in this docket during the suspension period, unless authorized by the Commission.
- 17 (5) The Commission will institute an investigation of Fiorito Enterprises, Inc., & Rabanco Companies, d/b/a Kent-Meridian Disposal books, accounts, practices, activities, property and operations as necessary and as described above.
- 18 (6) Fiorito Enterprises, Inc., & Rabanco Companies, d/b/a Kent-Meridian Disposal shall 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.

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

DATED at Olympia, Washington and effective June 28, 2006.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Executive Secretary