

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

KING COUNTY DEPARTMENT OF)	
PUBLIC WORKS, SOLID WASTE)	
DIVISION,)	
)	DOCKET NO. TG-940411
Complainant,)	
)	NOTICE OF PREHEARING
vs.)	CONFERENCE
)	
SEATTLE DISPOSAL COMPANY,)	(May 9, 1994)
RABANCO LTD., d/b/a EASTSIDE)	
DISPOSAL AND CONTAINER)	
HAULING,)	
)	
Respondent.)	
.....)	

The above-entitled matter, which is in the nature of a complaint against Seattle Disposal Company, Rabanco Ltd., d/b/a Eastside Disposal and Container Hauling, was filed on March 23, 1994. Respondent filed its answer on April 12, 1994. The pleadings indicate a dispute exists between the complainant and respondent relating to tariff revisions adopted in Docket No. TG-931585. A more detailed account of the dispute is reflected in the foregoing pleadings, which are available for inspection at the Commission's office, Chandler Plaza Building, 1300 S. Evergreen Park Drive SW, Olympia, Washington. The issue having been joined, it is appropriate that the matters raised in the pleadings be brought on for hearing before the Commission.

The hearing hereinafter set is being held pursuant to Part IV of chapter 34.05 RCW pertaining to adjudicative proceedings, including but not limited to RCW 34.05.413, RCW 34.05.449, and RCW 34.05.452. The Commission has jurisdiction over this matter pursuant to Title 81 RCW under which it regulates the rates, services, and practices of solid waste collection companies providing service within the state of Washington. Statutes and rules cited by the respective parties include chapter 70.95 and Title 81 RCW and RCW 70.95.010, 81.04.110, and 81.77.030; and WAC 480-09-400. In addition to the foregoing, statutes involved include RCW 70.95.900, RCW 81.04.120, and those within chapter 81.77 RCW, including but not limited to 81.77.010, 81.77.020, 81.77.070, 81.77.130, 81.77.140, 81.77.160 through 81.77.190 relating to the charges and practices of solid waste and recyclable materials collection services. Rules involved include WAC 480-70-050 and those within chapter 480-70 WAC relating to solid waste and recyclable materials collection services, and chapter 480-09 WAC.

The issues involved are generally stated above and more specifically contained in the pleadings herein.

NOTICE IS HEREBY GIVEN That a prehearing conference will be held commencing at the hour of 1:30 p.m., Monday, May 9, 1994, in the Commission's Hearing Room, Second Floor, Chandler Plaza Building, 1300 S. Evergreen Park Drive SW, Olympia, Washington. The time and place for the evidentiary hearing will be set at the prehearing conference or by later written notice. The purpose of said prehearing conference is to consider formulating the issues in the proceeding and determining other matters to aid in its disposition, as specified in WAC 480-09-460. Petitions to intervene should be made in writing prior to that date or made orally at that time. The burden of proving that effective solid waste collection rates are unreasonable rests on the complainants.

NOTICE IS FURTHER GIVEN That the complainant will be required to prefile its testimony and exhibits on Monday, May 9, 1994, and shall have copies available to distribute to intervenors at the hearing. The Commission procedural rules, chapter 480-09 WAC, contain information on prefiling testimony, particularly WAC 480-09-736.

In addition to the matters raised by the parties, the Commission directs the parties to address the following issues:

1. The impact of the rate increase granted to Eastside Disposal in Docket No. TG-931585. Testimony should state the service territory and the number of customers affected. Provide any relevant testimony, studies, and empirical data on the relationship between price changes for solid waste collection service and the subsequent demand for collection service.
2. The operation of the curbside yardwaste collection program. Testimony should state the disposal fee per ton of yardwaste; the number of customers receiving curbside yardwaste collection; and, each documented incidence in which solid waste customers and self-haulers who are not registered for curbside yardwaste collection put yard debris in the mixed municipal waste stream. The data should address any changes in behavior which are documented since the county banned disposal of yard debris in the mixed waste stream, and any data since adoption of the rate change approved in Docket No. TG-931585.

3. The effect of the rates granted in Docket No. TG-931585 on the Cedar Hills landfill. Testimony should state the current tip fee at the landfill. The Commission also requests a break down of the waste disposed at the landfill into categories of waste (recyclables, non-recyclables, organics, etc.) by percentage and ton, as recognized over time.
4. Provide testimony addressing the market trends for the value of the recyclable commodities included in the King County curbside recycling program.

If a limited English-speaking or hearing-impaired party needs an interpreter, a form is attached to this notice to be filled out and returned as indicated, so a qualified interpreter may be appointed at no cost to the party or witness.

NOTICE IS FURTHER GIVEN THAT ANY PARTY WHO FAILS TO ATTEND OR PARTICIPATE IN THE HEARING SET HEREIN, OR OTHER STAGE OF THIS PROCEEDING, MAY BE HELD IN DEFAULT IN ACCORDANCE WITH THE TERMS OF RCW 34.05.440.

The names and mailing addresses of all parties and their known representatives are as follows:

Complainant: King County Department of Public Works
Solid Waste Division
400 Yesler Way, Room 600
Seattle, WA 98104-2637

Representative: Mary F. Perry
Kathryn A. Killinger
Senior Deputy Prosecuting Attorneys
Civil Division
E550 King County Courthouse
516 Third Avenue
Seattle, WA 98104-2312

Respondent: Seattle Disposal Company,
Rabanco Ltd.
d/b/a Eastside Disposal and Container
Hauling
Suite 300
200 - 112th Avenue NE
Bellevue, WA 98004

Representative: Elizabeth Thomas
Preston Gates & Ellis
Attorneys at Law
5000 Columbia Center
701 Fifth Avenue
Seattle, WA 98104-7078

Commission: Washington Utilities and
Transportation Commission
1300 S. Evergreen Park Drive SW
P. O. Box 47250
Olympia, WA 98504-7250
(206) 753-6423

Representative: Anné E. Egeler
Assistant Attorney General
1400 S. Evergreen Park Drive SW
P. O. Box 40128
Olympia, WA 98504-0128
(206) 753-4014

An Administrative Law Judge from the Utilities and Transportation Subdivision of the Office of Administrative Hearings, Third Floor, Building E, 2420 Bristol Court SW, P O BOX 42489, OLYMPIA WA 98504-2489, (206) 753-6403, will be designated to preside at the hearing.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION


STEVE MC LELLAN
Secretary

April 19, 1994

Inquiries may be addressed to:

The Secretary
Washington Utilities and
Transportation Commission
Chandler Plaza Building
1300 S. Evergreen Park Drive SW
P O BOX 47250
OLYMPIA WA 98504-7250
(206) 753-6423

NOTICE

PLEASE BE ADVISED that if limited English-speaking or hearing impaired parties or witnesses are involved in a hearing and need an interpreter, a qualified interpreter will be appointed at no cost to the party or witness.

The information needed to provide an appropriate interpreter should be designated below and returned to Washington Utilities and Transportation Commission, Attention: Steve McLellan, 1300 S. Evergreen Park Drive SW, P. O. Box 47250, Olympia, WA 98504-7250.
(SUPPLY ALL REQUESTED INFORMATION)

Docket No.: _____

Case Name: _____

Your Name: _____

Hearing Date: _____ Hearing Location: _____

Primary Language: _____

Hearing Impaired (Yes) _____ (No) _____

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION

English-speaking person who can be contacted if there are questions:

Name: _____

Address: _____

Phone No.: () _____