

2 By way of background, the predecessor general rate increase filing was submitted by the Companies on March 13, 2013 which original request was in turn rejected for failure to conform to some technical provisions of the general rate workpaper rules. Following notification of that rejection on March 28, 2013, the Companies refiled their case on April 8, 2013, as set forth in ¶1 of the Final Order Approving and Adopting Settlement Agreement. The filing was subsequently suspended on May 9, 2013 followed by a prehearing conference and Order on May 20, 2013. Staff and the Companies worked diligently to resolve the various accounting issues in dispute between the parties during that interval, finally reaching tentative agreement. The Companies tendered their Narrative in Support of Settlement Agreement to the Commission Staff on or about July 23, 2013 accompanied by its approval of the settlement agreement which in turn was filed by the Commission Staff on August 1, 2013. Following submission of the Settlement Agreement, two separate Bench Requests were issued on or about August 12, 2013 and August 20, 2013. Bench Request No. 2 requested support and additional explanation for the compromised accounting adjustments which were in turn provided by both parties, the Companies on August 30, 2013, and the Staff on September 3, 2013. Following submission of the Bench Requests responses, the Commission issued its Final Order Approving the Settlement as noted on October 3, 2013.

3 Pursuant to the now approved Settlement Agreement, ¶7, as indicated, the rates would now not be effective until the 1st day of the next calendar month, here November 1, 2013. That effective date would be almost seven months after submission of the current general rate case and a full three months after the Settlement Agreement was originally filed with the Commission.

4 Because the parties can obviously not anticipate when in a calendar month a settlement might be formally approved in whole or in part by the Commission, Settlement Agreement formats, under WAC 480-07-740(1), rely on the standard effective date of the 1st calendar date in the month following the Commission's Order which also is logically synchronized with WAC 480-07-740(1), mandating a minimum 30-day interval between filing a proposed Settlement Agreement and the requested effective date of any tariff changes. Here, the Order was entered on October 3, 2013, more than four weeks before the first calendar date of the next subsequent month. Because the Companies are able to prorate billings to effect a mid-month (October 16 billing date in this circumstance), they thus seek the Commission's approval to enable those rates to be effective 13, rather than 29 days after Order 03 was entered.

5 The Companies are here also asking that the Commission find due cause for allowing their approved rates to become effective October 16, 2013. The Companies are supplying, through the attached Declaration of Irmgard R. Wilcox, evidence analogous to a compliance filing, demonstrating that they can accurately and comprehensively prorate bills for the calendar month to allow for increased yard waste and recycling rates to become effective at mid-month and to appropriately credit all yard waste and recycling customers at the existing rate levels from October 1 through October 15, 2013.

6 Because recycling and yard waste collection services are typically collected on a biweekly basis, this proposed proration is logical and operationally practical to effectuate.

7 Further, the Companies calculate that granting this Motion will allow them to recoup approximately \$41,391.00 additional revenues which proportionately mitigates

additional revenue need and similarly incrementally reduces occasion for a successive general rate filing increase.

8 Finally, the Staff of the Commission is not opposed to the remedy sought by this Motion.

9 WHEREFORE, having set forth the limited basis seeking to amend Final Order 03, Murrey's Disposal Company, Inc. and American Disposal Company, Inc. respectfully request that the Commission consider their request and allow amendment of the Order in order to enable the earlier effective date of the revised tariff pages requested by October 16, 2013.

DATED this 7th day of October, 2013.

Respectfully submitted,

WILLIAMS, KASTNER & GIBBS PLLC

By


David W. Wiley, WSBA #08614
Attorneys for Respondent

CERTIFICATE OF SERVICE

I hereby certify that I have this day served this document upon all parties of record in this proceeding, by the method as indicated below, pursuant to WAC 480-07-150.

Commission: Washington Utilities and Transportation Commission 1300 S. Evergreen Park Dr. SW P.O. Box 47250 Olympia, WA 98504-7250	<input type="checkbox"/> Via Legal Messenger <input type="checkbox"/> Via Facsimile <input checked="" type="checkbox"/> Via U.S. Mail <input type="checkbox"/> Via Email <input checked="" type="checkbox"/> Via Web Portal
Steven W. Smith Assistant Attorney General 1400 S. Evergreen Park Drive S.W. P.O. Box 40128 Olympia, WA 98504-0128 Phone: (360) 664-1187 Email: ssmith@utc.wa.gov	<input type="checkbox"/> Via Legal Messenger <input type="checkbox"/> Via Facsimile <input checked="" type="checkbox"/> Via U.S. Mail <input checked="" type="checkbox"/> Via Email

DATED at Seattle, Washington, this 7th day of October, 2013.



Lyndsay Taylor