

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

|                                     |   |                          |
|-------------------------------------|---|--------------------------|
| In the Matter of the Application of | ) | DOCKET NO. TG-041398     |
|                                     | ) |                          |
| Rabanco, LTD., d/b/a                | ) | ORDER NO. 01             |
| (Lynnwood/Maltby) G-12              | ) |                          |
|                                     | ) | ORDER GRANTING LESS THAN |
| For Revenue Sharing Under the       | ) | STATUTORY NOTICE AND     |
| Provisions of RCW 81.77.185         | ) | REQUIRING REPORTING      |
| .....                               | ) |                          |

**BACKGROUND**

1 On August 6, 2004, Rabanco LTD.,[d/b/a Lynnwood/Maltby] (Rabanco or the Company) filed with the Commission revised pages in Tariff No. 4 for its annual commodity revenue adjustment. The Company also requested that the filing become effective September 1, 2004, by less than statutory notice. As part of that filing, Rabanco submitted a Recycling and Commodity Revenue Sharing Plan for Snohomish County under the provisions of RCW 81.77.185.

2 The Recycling and Commodity Revenue Sharing Plan has been certified by the appropriate local government authority.

3 By December 2, 2005, the Commission must provide a report to the Legislature that evaluates:

4 (1) The effectiveness of revenue sharing as an incentive to increase recycling in the state; and

5 (2) The effect of revenue sharing on costs to customers.

6 In order for the Staff to determine the cost and effectiveness of revenue sharing, it is necessary that Rabanco provide data and information on its recycling and solid waste programs. The Company is therefore required to submit:

- 7 (1) On a quarterly basis, copies of all waste composition studies and other reports required to be filed with Snohomish County as called for in its Revenue Sharing Plan, at a minimum to include the following:
- (a) On a quarterly basis, residential and multi-family statistics that include the tons of solid waste disposed and recycle commodities collected and a count of residential and multi-family customers subscribing to each level of garbage collection service.
  - (b) For each month in the quarter, the commodity sales revenue and tonnage for each product sold.
  - (c) On a quarterly basis, schedules detailing the costs associated with implementing the Recycling Plan such as the expenses of conducting the waste composition studies and related reporting, switching to single stream recycling, and adding additional commodities to be picked up etc.
  - (d) Any other information that may be needed to evaluate the effectiveness and cost of the programs.

#### 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 rates, regulations, practices, accounts, securities, 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 and Chapter 81.77 RCW.*

- 9 (2) Rabanco is a solid waste company and is a public service company subject to the jurisdiction of the Commission.
- 10 (3) Rabanco is subject to the provisions of RCW 81.28.050 and WAC 480-70-266 requiring solid waste companies to file changes in any rate or charge with forty-five day's notice. For good cause shown, however, the Commission may allow changes without requiring forty-five day's notice by order specifying the changes to be made and the time when it shall take effect. WAC 480-70-276.
- 11 (4) WAC 480-70-051 provides that the Commission may grant an exemption from the provisions of any rule in Chapter 480-70 WAC, if consistent with the public interest, the purposes underlying regulation and applicable statutes.
- 12 (5) Staff has reviewed the request in Docket TG-041398 and recommends the less than statutory notice request of Rabanco be granted and that the proposed tariff revisions become effective September 1, 2004.
- 13 (3) This matter was brought before the Commission at its regularly scheduled Open Meeting on August 25, 2004. The Commissioners, having determined this Order to be consistent with the public interest, directed the Secretary to enter the following order and related provisions:

## ORDER

### THE COMMISSION ORDERS:

- 14 (1) The less than statutory notice request of Rabanco, LTD., d/b/a (Lynnwood/Maltby) in this docket is granted, and that the proposed tariff revisions filed on August 6, 2004, become effective September 1, 2004.

- 15 (2) Rabanco, LTD. (Lynnwood/Maltby), will provide quarterly reports as set forth above. Quarterly reports will continue until September 30, 2005. The reports will be forwarded to the Commission within 20 days of the quarter's end.

DATED at Olympia, Washington, and effective this 25<sup>th</sup> day of August, 2004.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE WASHBURN, Secretary