



opportunity to comment on the proposed revised rates filed by the Company on September 25, 2006.

- 4 Customers deserve to know about, and comment on, those revised rates. The Commission should consider all information, including any additional customer comments on the revised rates, in deciding whether to conduct an evidentiary hearing on the revised rates. Kent Meridian, therefore, has not yet demonstrated the revised rates are fair, just and reasonable.
- 5 The proposed revised rates might injuriously affect the rights and interests of the public. The Commission therefore suspends the tariff filing. The Commission accepts the proposed revised rates as temporary rates and allows those revised rates to become effective on October 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

- 6 (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.*
- 7 (2) Kent Meridian is a solid waste company and is a public service company subject to the jurisdiction of the Commission.
- 8 (3) This matter was brought before the Commission at its regularly scheduled meeting on September 27, 2006.
- 9 (4) The tariff revisions filed by Kent Meridian on August 15, 2006, and the substitute pages filed on September 25, 2006, increase solid waste and residential recycling rates and decrease multi-family recycling and yardwaste rates.
- 10 (5) Kent Meridian has not yet demonstrated that the provisions for solid waste, recycling and yardwaste rates are fair, just, reasonable, and sufficient. The

Commission finds it reasonable to allow the revised rates filed on September 25, 2006, to become effective October 1, 2006, on a temporary basis subject to refund.

- 11 (6) Kent Meridian 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:

- 12 (1) The tariff revision(s) filed by Fiorito Enterprises, Inc., & Rabanco Companies, d/b/a Kent Meridian Disposal Company (“Company”) on August 15, 2006, are suspended.
- 13 (2) The proposed revised rates the Company filed on September 25, 2006, that reflect Staff-recommended levels should be allowed to become effective October 1, 2006, on a temporary basis, subject to refund.
- 14 (3) The Commission may hold hearings if needed at such times and places as required.
- 15 (4) Fiorito Enterprises, Inc., & Rabanco Companies, d/b/a Kent Meridian Disposal Company must not change or alter the tariffs filed in this docket during the suspension period, unless authorized by the Commission in this docket.
- 16 (5) The Commission will institute an investigation of Fiorito Enterprises, Inc., & Rabanco Companies, d/b/a Kent Meridian Disposal Company’s books, accounts, practices, activities, property and operations as necessary and as described above.
- 17 (6) Fiorito Enterprises, Inc., & Rabanco Companies, d/b/a Kent Meridian Disposal Company 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.

- 18 (7) The proposed revised tariffs filed on September 25, 2006, shall become effective on October 1, 2006, on a temporary basis, subject to refund if the Commission determines that different rates will be fair, just and reasonable.

DATED at Olympia, Washington, and effective September 27, 2006.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARK H. SIDRAN, Chairman

PATRICK J. OSHIE, Commissioner

PHILIP B. JONES, Commissioner