

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND)	DOCKET TG-152350
TRANSPORTATION)	
COMMISSION,)	ORDER 01
)	
Complainant,)	
)	COMPLAINT AND ORDER
v.)	SUSPENDING TARIFF;
)	ALLOWING RATES ON A
CARROLL-NASLUND DISPOSAL)	TEMPORARY BASIS, SUBJECT
SERVICE, INC. DBA NASLUND)	TO REFUND
DISPOSAL SERVICE, INC.,)	
)	
Respondent.)	
.....)	

BACKGROUND

- 1 On December 16, 2015, Carroll-Naslund Disposal Service, Inc. dba Naslund Disposal Service, Inc., (Naslund or Company) filed with the Washington Utilities and Transportation Commission (Commission) revisions to its currently effective Tariff WN U-04, designated as 8th Revised Page No. 1, 1st Revised Page No. 8, 2nd Revised Page No. 14, 3rd Revised Page No. 17, 3rd Revised Page No. 17A, 7th Revised Page No. 18, 2nd Revised Page No. 18A, 5th Revised Page No. 19, 2nd Revised Page No. 19A, 1st Revised Page No. 22, 6th Revised Page No. 24, 6th Revised Page No. 25, 4th Revised Page No. 25A, 4th Revised Page No. 26, 3rd Revised Page No. 26A, and 3rd Revised Page No. 26B. The stated effective date is February 1, 2016.

- 2 In this filing, Naslund proposes to increase charges and rates for service it provides by approximately \$95,000, or 8.1 percent. The rate increases are driven, in part, by a February 1, 2016, increase in Asotin County disposal fees.

- 3 Staff has not completed its analysis of the Company’s proposed rates and recommends that the Commission suspend the December 15, 2015, tariff filing.

- 4 If the Commission suspends a tariff that includes rates to recover disposal fees, RCW 81.77.160 requires that the Commission to allow the rates related to the disposal fees to become effective on the originally filed effective date on an interim basis, subject to refund, pending the Commission’s final order.

- 5 On January 20 and 21, 2016, the Company filed revised rates to recover just the disposal increase portion of the proposed rates. The revised rates are designated as 7th Revised Page No. 18, 2nd Revised Page No. 18A, 5th Revised Page No. 19, 2nd Revised Page No. 19A, 6th Revised Page No. 25, 4th Revised Page No. 25A, 4th Revised Page No. 26 and 3rd Revised Page No. 26A. The revenue impact of the disposal fee increase is approximately \$38,900 (3.8 percent) of additional annual revenue. Staff recommends that the Commission allow Naslund to file revised tariff pages that increase rates to recover only increased disposal fees, and that the Commission suspend those pages and allow them to become effective on February 1, 2016, on a temporary basis, subject to refund.
- 6 Because those increases might injuriously affect the rights and interests of the public and Naslund has not demonstrated that the increases would ultimately result in rates that are fair, just, reasonable, and sufficient, the Commission suspends the tariff pages filed on December 15, 2015, and January 20 and 21, 2016, and allows the revised pages filed on January 20 and 21, 2016, to become effective on a temporary basis on February 1, 2016, subject to refund.

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 the rates, regulations, practices, accounts and affiliated interests of public service companies, including solid waste companies.
- 8 (2) Naslund is a solid waste company and a public service company subject to Commission jurisdiction.
- 9 (3) This matter came before the Commission at its regularly scheduled meeting on January 28, 2016.
- 10 (4) The tariff revisions Naslund filed on December 16, 2015, would increase charges and rates for service provided by Naslund, and might injuriously affect the rights and interest of the public.
- 11 (5) Naslund has not yet demonstrated that the tariff revisions would ultimately result in rates that are fair, just, reasonable and sufficient.

- 12 (6) The Commission finds it reasonable to allow the revised rates that recover only the increased disposal fees as filed on January 20 and 21, 2016, to become effective on February 1, 2016, on a temporary basis, subject to refund, under RCW 81.77.160.
- 13 (7) In order to carry out the duties imposed upon the Commission by law, and as authorized in RCW 81.04.130 and RCW 81.04.220, the Commission believes it is necessary to investigate Naslund's books, accounts, practices and activities, and to investigate and appraise various phases of Naslund's operations.
- 14 (8) As required by RCW 81.04.130, Naslund bears the burden of proof to show that the proposed increases are just, reasonable and sufficient. Nothing in this Order is intended to limit the issues as to the fairness, justness, reasonableness and sufficiency of the proposed increases.
- 15 (9) In addition, the Commission invokes the rights, remedies and procedures contained in the reparations statute, RCW 81.04.220, to the extent the Commission finds that any rate subject to this investigation is excessive or exorbitant.
- 16 (10) Naslund may be required to pay the expenses reasonably attributable and allocable to such an investigation consistent with the provisions of RCW 81.20.

ORDER

THE COMMISSION ORDERS:

- 17 (1) The tariff revisions Carroll-Naslund Disposal Service, Inc. dba Naslund Disposal Service, Inc. filed on December 16, 2015, and January 20 and 21, 2016, are suspended.
- 18 (2) The revised tariff pages Carroll-Naslund Disposal Service, Inc. dba Naslund Disposal Service, Inc., filed on January 20 and 21, 2016, shall become effective on February 1, 2016, on a temporary basis, subject to refund.

- 19 (3) The Commission will hold hearings at such times and places as may be required.
- 20 (4) Carroll-Naslund Disposal Service, Inc. dba Naslund Disposal Service, Inc., must not change or alter the tariffs filed in this Docket during the suspension period, unless authorized by the Commission.
- 21 (5) The Commission will institute an investigation of Carroll-Naslund Disposal Service, Inc. dba Naslund Disposal Service, Inc.'s books, accounts, practices, activities and operations as described above.
- 22 (6) Carroll-Naslund Disposal Service, Inc. dba Naslund Disposal Service, Inc., shall pay the expenses reasonably attributable and allocable to the Commission's investigation consistent with RCW 81.20.

DATED at Olympia, Washington, and effective January 28, 2016.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER, Chairman

ANN E. RENDAHL, Commissioner