

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

In the Matter of the Petition of	)	DOCKET TG-091802
	)	
RABANCO LTD, DBA EASTSIDE	)	ORDER 01
DISPOSAL, CONTAINER	)	
HAULING, RABANCO	)	
CONNECTIONS AND RABANCO	)	
COMPANIES, G-12,	)	
	)	
Petitioner,	)	
	)	
Requesting Authority to Retain Thirty	)	
Percent of the Revenue Received From	)	ORDER AUTHORIZING
the Sale of Recyclable Materials	)	REVENUE SHARING FOR
Collected in Residential Recycling	)	RECYCLABLE COMMODITIES
Service	)	REVENUE
.....	)	

**BACKGROUND**

- 1 On November 16, 2009, Rabanco LTD, dba Eastside Disposal, Container Hauling, Rabanco Connections and Rabanco Companies (Eastside or Company) filed with the Washington Utilities and Transportation Commission (Commission) revisions to its currently effective Tariff No. 11.
  
- 2 The filing proposes to decrease the amount that Eastside pays to residential customers and multi-family customers for the value of the recyclable materials that Eastside collects in its recycling service. The stated effective date is January 1, 2010. The Company has requested that the tariff revisions filed November 16, 2009, become effective January 1, 2010.
  
- 3 On November 16, 2009, Eastside filed with the Commission a request to retain thirty percent of the revenue Eastside receives from the sale of recyclable materials that it collects in its residential collection service.
  
- 4 RCW 81.77.185 states that the Commission shall allow solid waste collection companies collecting recyclable materials to retain up to thirty percent of the revenue paid to the companies for the material if the companies submit a plan to the Commission that is certified by the appropriate local government authority as being consistent with the local government solid waste plan and that demonstrates how the revenues will be used to

increase recycling. The remaining revenue shall be passed to residential and multi-family customers.

5 On December 11, 2009, Eastside filed its recycling plan for calendar year 2010. The plan sets forth specific actions that Eastside will take including to aggressively partner with its affiliated company, Rabanco Recycling, to provide superior single-stream processing of all recycled materials. In addition, Eastside states that it will use retained revenue to:

- Meet with King County (County) quarterly to discuss outreach plans.
- Supply annual hard copy mailings of brochures and collection calendars to all existing and new accounts.
- Continue to provide attachments to new yard waste accounts (bag samples and composting flyer).
- Create a plan for increasing recycling for its multi-family customers.
- Complete web updates, downloads and links to select County programs and materials (e.g., video pod casts and garbage reduction challenge).
- Develop invoice messages and billing inserts for the County to review. The content will include waste prevention, basic recycling, curbside service and food scrap recycling messages.
- Provide a plan to the County for obtaining new garbage account signups and yard waste service signups.
- Discuss and plan with the County outreach opportunities at local community events. Collect and deliver to the County information about the number of residents contacted at these events.
- Promote product stewardship programs such as E-Cycle with its customers.
- Partner with the County's Solid Waste Division to develop and distribute high quality educational materials and presentation materials regarding recycling with an emphasis on inclusion of food waste in yard waste recycle streams. A minimum of three billing invoice messages promoting recycling and food scrap recycling will be sent out throughout the year.
- In concert with the County, develop a recycling stream characterization protocol in an effort to update existing characterization assumptions.

6 Eastside's recycling plan, as reflected in a letter dated December 11, 2009, and signed by Mr. Kevin Kiernan, Solid Waste Division Director, King County, certifies to the Commission that the plan Eastside submitted is consistent with King County's

Comprehensive Solid Waste Management Plan. Mr. Kiernan recommends that the Commission allow Eastside to retain 30 percent of the revenues from sale of commodities during the period of this agreement (January 1, 2010 – December 31, 2010). At the end of this period, the County will evaluate Eastside's implementation of this plan prior to its expiration. If some elements have not been fully implemented, the County may request that the Commission consider returning some of these revenues retained by the Company to its customers. A new plan must be agreed upon by both the County and Eastside before the County will recommend to the Commission an extension of revenue sharing into 2011.

- 7 In summary, Staff recommends that the Commission approve the proposed commodity credits to become effective January 1, 2010, and grant Eastside's request to retain thirty percent of the revenues it receives from the sale of recyclable materials that it collects in its residential and multi-family recycling service.

#### 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 the rates, rules, regulations, practices, accounts and affiliated interests of public service companies, including solid waste companies. *RCW 80.01.040, RCW 81.01, RCW 81.04, RCW 81.16, RCW 81.28 and RCW 81.77.*
- 9 (2) This matter came before the Commission at its regularly scheduled meeting on December 23, 2009.
- 10 (3) Eastside is engaged in the business of providing solid waste services within the state of Washington and is a public service company subject to Commission jurisdiction.
- 11 (4) RCW 81.77.185 states that the Commission shall allow solid waste collection companies collecting recyclable materials to retain up to thirty percent of the revenue paid to the companies for the material if the companies submit a plan to the Commission that is certified by the appropriate local government authority as being consistent with the local government solid waste plan and that demonstrates

how the revenues will be used to increase recycling. The remaining revenue shall be passed to residential customers.

- 12 (5) King County is responsible for managing waste through its Comprehensive Solid Waste Management Plan. The Director of King County's Solid Waste Division certified that Eastside's recycling plan is consistent with the County's Comprehensive Solid Waste Management Plan and his recommendation that the Commission allow Eastside to retain thirty percent of the revenue the company receives from the sale of recyclable material is entitled to deference by the Commission.
- 13 (6) After reviewing Eastside's request to allow the proposed commodity credits filed on November 16, 2009, to become effective January 1, 2010, and request to retain thirty percent of the revenue received from the sale of recyclable materials collected in its recycling service, all filed in Docket TG-091802, and giving due consideration, the Commission finds that Eastside's requests are reasonable and should be granted.

## **O R D E R**

### **THE COMMISSION ORDERS:**

- 14 (1) The tariff revisions Rabanco LTD, dba Eastside Disposal, Container Hauling, Rabanco Connections and Rabanco Companies, filed on November 16, 2009, will be effective on January 1, 2010.
- 15 (2) Rabanco LTD, dba Eastside Disposal, Container Hauling, Rabanco Connections and Rabanco Companies, is authorized to retain thirty percent of the revenue it receives from the sale of recyclable materials collected in its residential and multi-family recycling programs from January 1, 2010, to December 31, 2010. Rabanco LTD, dba Eastside Disposal, Container Hauling, Rabanco Connections and Rabanco Companies, will report to the Commission no later than February 1, 2011, the amount of revenue it retained, the amount of money it spent on the activities identified in Eastside's recycling plan and the effect the activities had on increasing recycling.

- 16 (3) Rabanco LTD, dba Eastside Disposal, Container Hauling, Rabanco Connections and Rabanco Companies, shall make its next commodity adjustment effective January 1, 2011, and each January 1 thereafter, and shall make all future commodity adjustment filings forty-five days prior to the proposed effective date.
- 17 (4) The Commission delegates to the Secretary the authority to approve by letter all compliance filings required in this Order.
- 18 (5) The Commission retains jurisdiction over the subject matter and Rabanco LTD, dba Eastside Disposal, Container Hauling, Rabanco Connections and Rabanco Companies, to effectuate the provisions of this Order.

The Commissioners, having determined this Order to be consistent with the public interest, directed the Secretary to enter this Order.

DATED at Olympia, Washington, and effective December 23, 2009.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER, Executive Director and Secretary