

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

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION,)	DOCKET TG-061748
)	
Complainant,)	ORDER 02
)	
v.)	
)	
HAROLD LEMAY ENTERPRISES, INC., d/b/a RURAL GARBAGE SERVICE, G-98)	ORDER DISMISSING COMPLAINT AND ORDER SUSPENDING TARIFF
)	REVISIONS; GRANTING TARIFF
Respondent.)	REVISIONS
.....)	

BACKGROUND

- 1 On November 17, 2006, Harold Lemay Enterprises, Inc., d/b/a Rural Garbage Service (Rural Garbage or Company) filed with the Washington Utilities and Transportation Commission (Commission) revised pages to Tariff No. 12.2.

- 2 Rural Garbage’s proposed rates increased revenues by \$112,200 (5.38%) annually. Commission Staff’s review revealed that some proposed rates were excessive. Staff and the Company negotiated revised rates that would increase annual revenues by approximately \$104,500 (5.11%). On December 20, 2006, Rural Garbage filed revised, lower rates on substitute tariff pages to reflect this reduced revenue level.

- 3 The Commission received two customer comments concerning the Company’s original (November 17, 2006) filing.

- 4 On December 27, 2006, the Commission entered a Complaint and Order Suspending Tariff Revisions to allow customers the opportunity to comment on the revised rates before determining whether the revisions were fair, just, reasonable, and sufficient. The Commission allowed the revised rates to go into effect on a temporary basis, subject to refund.

- 5 On December 27, 2006, Consumer Affairs staff sent each customer who had commented on Rural Garbage’s filing a letter advising them of staff’s recommended revised rates.

One customer called to express concern that the fee was dropping from \$1.50 to zero for customers who do not recycle. Staff explained that the change was due to a new county ordinance. The customer said he was satisfied and would decide whether to call the Thurston County Commissioners.

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, RCW 81.01, RCW 81.04, RCW 81.28, RCW 81.16, and RCW 81.77.*
- 7 (2) Rural Garbage 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 January 24, 2007.
- 9 (4) The tariff revisions filed by Rural Garbage on November 17, 2006, and the substitute pages filed on December 20, 2006, increase solid waste rates.
- 10 (5) The Commission allowed the revised rates filed on December 20, 2006, to become effective January 1, 2007, on a temporary basis subject to refund.
- 11 (6) Rural Garbage has demonstrated that it requires additional revenues and the revised rates, now in effect on a temporary basis are fair, just, reasonable and sufficient, and should become effective permanently.

ORDER

THE COMMISSION ORDERS:

- 12 (1) The Complaint and Order Suspending Tariff Revisions in Docket TG-061748 dated December 27, 2006, is dismissed.

- 13 (2) The proposed revised rates Harold LeMay Enterprises, Inc., d/b/a Rural Garbage Service filed on December 20, 2006, reflecting Staff recommended levels are approved to become effective January 25, 2007, on a permanent basis.

DATED at Olympia, Washington, and effective January 24, 2007.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARK H. SIDRAN, Chairman

PATRICK J. OSHIE, Commissioner

PHILIP B. JONES, Commissioner