

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

WASHINGTON UTILITIES AND)	DOCKET TG-061755
TRANSPORTATION COMMISSION,)	
)	ORDER 02
Complainant,)	
)	
v.)	
)	
RABANCO LTD d/b/a LYNNWOOD)	
DISPOSAL, MALTBY DIVISION,)	ORDER DISMISSING COMPLAINT
G-12)	AND ORDER SUSPENDING TARIFF
)	REVISIONS; GRANTING TARIFF
Respondent.)	REVISIONS
.....)	

BACKGROUND

- 1 On November 17, 2006, Rabanco LTD d/b/a Lynnwood Disposal, Maltby Division (Lynnwood or Company) filed with the Washington Utilities and Transportation Commission (Commission) revisions to its Tariff No. 4. The stated effective date was January 1, 2007. The filing would increase residential, commercial and drop box solid waste rates.

- 2 Lynnwood’s proposed rates were designed to increase revenues by \$261,700 (3.2%) 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 \$160,200 (1.96%). On December 20, 2006, Lynnwood filed revised, lower rates on substitute tariff pages to reflect this reduced revenue level.

- 3 Twenty-three customers commented on this filing – all opposed. Several comments disagreed with the large increase in recycling and yard waste service. Many felt it was too high and would discourage use of these services. Others cited poor customer service by the company and their representatives, especially during the recent snow storm when pickups were missed several times. The recycle rate is now lower than what was originally proposed, and the company picked up missed pickups during the snowstorm without any additional charges to customers.

- 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 rates to go into effect on a temporary basis, subject to refund.

5 On January 5, 2007, Consumer Affairs staff sent every customer who had commented on Lynnwood's filing a letter advising each respondent of staff's recommended revised rates. No customer has yet responded to staff's letter.

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) Lynnwood Disposal 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 Lynnwood Disposal 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) Lynnwood has demonstrated that it requires additional revenues. 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-061755 dated December 27, 2006, is dismissed.
- 13 (2) The proposed revised rates that Rabanco LTD d/b/a Lynnwood Disposal, Maltby Division filed December 20, 2006, reflecting Staff-recommended levels should be allowed to become effective February 1, 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