

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

WASHINGTON UTILITIES AND)	DOCKET TG-060793
TRANSPORTATION COMMISSION,)	
)	ORDER 02
Complainant,)	
v.)	
)	ORDER DISMISSING
FIORITO ENTERPRISES, INC., &)	COMPLAINT AND ORDER
RABANCO COMPANIES, G-60)	SUSPENDING TARIFF
d/b/a Kent-Meridian Disposal)	REVISIONS; GRANTING TARIFF
)	REVISIONS; CANCELLING
Respondent)	PREHEARING CONFERENCE
.....)	

BACKGROUND

- 1* On May 15, 2006, Fiorito Enterprises, Inc., & Rabanco Companies, G-60, d/b/a Kent-Meridian Disposal (Kent-Meridian or Company) filed with the Commission revisions to its currently effective Tariff 27, proposing changes to the residential and multi-family deferred recycle credits.
- 2* On June 28, 2006, the Commission entered a Complaint and Order Suspending Tariff Revisions but allowing temporary rates pending an investigation to determine whether the revisions were fair, just and reasonable.
- 3* On July 25, 2006, the Commission Secretary issued a Notice of Prehearing Conference set for Wednesday, September 20, 2006, at 9:30 a.m.
- 4* In the interim Kent-Meridian and King County negotiated a new Recycle Revenue Sharing Plan. King County has now certified that the Company is in compliance with the provisions of the new recycle plan, and recommended that the Company be allowed to continue keeping 30 percent of the revenue from the sale of commodities collected during the program.

FINDINGS AND CONCLUSIONS

- 5 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington vested by statute with the authority to regulate rates, rules, regulations, practices, accounts, securities, 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 and Chapter 81.77 RCW*
- 6 (2) Kent-Meridian is a solid waste company and is a public service company subject to the jurisdiction of the Commission.
- 7 (3) This matter was brought before the Commission at its regularly scheduled meeting on August 30, 2006.
- 8 (4) The tariff revisions presently under suspension are fair, just and reasonable. King County certified that the Company is now in compliance with the provisions of its newly negotiated Recycle Commodity Revenue Sharing Plan. They recommend that the Company be allowed to continue keeping 30 percent of the value of the commodities sold.
- 9 (5) After review of the tariff revisions filed in Docket TG-060793 by Kent-Meridian Disposal, after giving due consideration, including the recommendations of King County, the Commission finds it is consistent with the public interest that the Complaint and Order Suspending Tariff Revisions in Docket TG-060793, dated June 28, 2006, be dismissed. Further, that the temporary tariff revisions to residential curbside and multi-family deferred recycle credits that include keeping 30 percent of commodity sale revenue in Tariff 27 become permanently effective September 1, 2005. Finally, that the Prehearing Conference currently scheduled for September 20, 2006, be cancelled.

ORDER

THE COMMISSION ORDERS:

- 10 (1) The Complaint and Order Suspending Fiorito Enterprises, Inc., & Rabanco Companies, G-60, d/b/a Kent-Meridian Disposal's Tariff Revisions in Docket

TG-060793, dated June 28, 2006, be dismissed, and the September 20, 2006, prehearing conference be cancelled.

- 11* (2) The deferred residential and multi-family recycle credits that include keeping 30 percent of commodity sale revenue filed in this docket on May 15, 2006, shall become permanently effective September 1, 2006.

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 on August 30, 2006.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Executive Secretary