

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

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION,)	DOCKET TG-070749
)	
Complainant,)	ORDER 01
)	
v.)	
)	COMPLAINT AND ORDER
RABANCO, LTD, d/b/a ALLIED WASTE SERVICES OF KENT, RABANCO COMPANIES, AND SEA-TAC DISPOSAL, G-12)	SUSPENDING TARIFF REVISIONS; ALLOWING REVISED RATES TO BECOME EFFECTIVE JUNE 1, 2007, ON A TEMPORARY BASIS, SUBJECT
Respondent)	TO REFUND
.....)	

BACKGROUND

- 1 On April 16, 2007, Rabanco, LTD, d/b/a Allied Waste Services of Kent, Rabanco Companies, and Sea-Tac Disposal (Rabanco or Company) filed with the Washington Utilities and Transportation Commission (Commission) a new Tariff No. 26. The stated effective date is June 1, 2007.
- 2 The filing would increase some garbage rates and decrease others, increase residential yard waste and recycling rates, and decrease multi-family recycling rates. Rabanco’s proposed rates were designed to increase revenues by \$375,418 (9.40 percent) annually. Commission Staff’s review revealed that the proposed rates were excessive. Staff and the Company negotiated revised rates that would increase annual revenues by approximately \$210,500 (5.29 percent). On May 18, 2007, Rabanco filed revised, lower rates on substitute tariff pages to reflect this reduced revenue level.
- 3 The Commission received comments from seven customers concerning the Company’s original (April 16, 2007) filing. The majority of the comments concerned the increase in the residential recycling rate. The customers have not yet had the opportunity to comment on the proposed revised rates filed by the Company on May 18, 2007.
- 4 Customers deserve to know about, and comment on, the proposed revised rates. The Commission should consider all information, including any additional customer comments on the revised rates, in deciding whether to conduct an evidentiary hearing on

the revised rates. Rabanco, therefore, has not yet demonstrated the revised rates are fair, just and reasonable.

- 5 The proposed revised rates might injuriously affect the rights and interests of the public. The Commission therefore suspends the tariff filing. The Commission accepts the proposed revised rates as temporary rates and allows those revised rates to become effective on June 1, 2007, on a temporary basis, subject to refund.

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) Rabanco 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 May 23, 2007.
- 9 (4) The tariff revisions filed by Rabanco on April 16, 2007, and the substitute pages filed on May 18, 2007, increase some garbage rates and decrease others, increase residential yard waste rates, increase some recycling rates and decrease others, and decrease multi-family recycling rates.
- 10 (5) Rabanco has not yet demonstrated that the provisions for the rates are fair, just, reasonable, and sufficient. The Commission finds it reasonable to allow the revised rates filed on May 18, 2007, to become effective June 1, 2007, on a temporary basis subject to refund.
- 11 (6) Rabanco may be required to pay the expenses reasonably attributable and allocable to such an investigation to the extent the requirements for such payment are in accordance with the provisions of RCW 81.20.

ORDER

THE COMMISSION ORDERS:

- 12 (1) The tariff revision(s) filed on April 16, 2007, are suspended.
- 13 (2) The proposed revised rates Rabanco, LTD, d/b/a Allied Waste Services of Kent, Rabanco Companies, and Sea-Tac Disposal filed on May 18, 2007, that reflect Staff-recommended levels should be allowed to become effective June 1, 2007, on a temporary basis, subject to refund.
- 14 (3) The Commission may hold hearings if needed at such times and places as required.
- 15 (4) Rabanco, LTD, d/b/a Allied Waste Services of Kent, Rabanco Companies, and Sea-Tac Disposal must not change or alter the tariff pages filed in this docket during the suspension period, unless authorized by the Commission in this docket.
- 16 (5) The Commission will institute an investigation of Rabanco, LTD, d/b/a Allied Waste Services of Kent, Rabanco Companies, and Sea-Tac Disposal's books, accounts, practices, activities, property and operations as necessary and as described above.
- 17 (6) Rabanco, LTD, d/b/a Allied Waste Services of Kent, Rabanco Companies, and Sea-Tac Disposal shall pay the expenses reasonably attributable and allocable to the Commission's investigation to the extent the requirements for such payment are in accordance with the provisions of RCW 81.20.
- 18 (7) The proposed revised tariffs filed on May 18, 2007, shall become effective on June 1, 2007, on a temporary basis, subject to refund if the Commission determines that different rates will be fair, just and reasonable.

DATED at Olympia, Washington, and effective May 23, 2007.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARK H. SIDRAN, Chairman

PATRICK J. OSHIE, Commissioner

PHILIP B. JONES, Commissioner