

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

WASHINGTON UTILITIES AND)	DOCKET TG-082230
TRANSPORTATION COMMISSION,)	
)	ORDER 01
Complainant,)	
)	
v.)	
)	
SANITARY SERVICE CO., INC.,)	COMPLAINT AND ORDER
G-14)	SUSPENDING TARIFF; ALLOWING
)	RATES ON A TEMPORARY BASIS,
Respondent.)	SUBJECT TO REFUND
.....)	

BACKGROUND

- 1 On December 16, 2008, Sanitary Service Co., Inc., (Sanitary Service), filed with the Washington Utilities and Transportation Commission (Commission) revisions to its Tariff No. 6. The stated effective date is February 1, 2009.

- 2 In this filing, Sanitary Service proposes to increase residential recycling and yard waste rates. Sanitary Service’s proposed rates were designed to increase revenues by \$90,891 (10.4 percent) annually. Commission Staff’s review revealed that the proposed rates were excessive. Staff and Sanitary Service negotiated revised rates that would increase annual revenues by approximately \$61,800 (7.0 percent). On January 22, 2009, Sanitary Service filed revised, lower rates on a substitute tariff page to reflect the lower revenue level.

- 3 The Commission received comments from six customers concerning Sanitary Service’s original December 16, 2008, filing. The majority of the comments concerned the increase in the recycling rate. The customers have not yet had the opportunity to comment on the proposed revised rates filed by Sanitary Service on January 22, 2009.

- 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. Sanitary Service, therefore, has not yet demonstrated the revised rates are fair, just, reasonable and sufficient.

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 February 1, 2009, 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 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.
- 7 (2) Sanitary Service is a solid waste company and a public service company subject
to Commission jurisdiction.
- 8 (3) This matter came before the Commission at its regularly scheduled meeting on
January 29, 2009.
- 9 (4) The tariff revisions Sanitary Service filed on December 16, 2008, and the
substitute tariff page filed on January 22, 2009, increase rates for residential
recycling and yard waste.
- 10 (5) Sanitary Service 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 January 22, 2009, to become effective February 1, 2009, on
a temporary basis, subject to refund.
- 11 (6) In addition, the Commission invokes the rights, remedies and procedures
contained in the reparations statute, RCW 81.04.220, to the extent the
Commission finds that any rate subject to this investigation is excessive or
exorbitant.
- 12 (7) Sanitary Service may be required to pay the expenses reasonably attributable and
allocable to such an investigation consistent with RCW 81.20.

ORDER

THE COMMISSION ORDERS:

- 13 (1) The tariff revisions Sanitary Service Co., Inc., filed on December 16, 2008, are suspended.
- 14 (2) The proposed revised tariffs Sanitary Service Co., Inc., filed on January 22, 2009, shall become effective on February 1, 2009, on a temporary basis, subject to refund if the Commission determines that different rates will be fair, just, reasonable and sufficient.
- 15 (3) The Commission may hold hearings if needed at such times and places as required.
- 16 (4) Sanitary Service Co., Inc., must not change or alter the tariff pages filed in this docket during the suspension period, unless the Commission authorizes the change in this docket.
- 17 (5) The Commission will institute an investigation of Sanitary Service Co., Inc.'s books, accounts, practices, activities, property and operations as necessary and as described above.
- 18 (6) Sanitary Service Co., Inc., shall pay the expenses reasonably attributable and allocable to the Commission's investigation, consistent with RCW 81.20.

DATED at Olympia, Washington, and effective January 29, 2009.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARK H. SIDRAN, Chairman

PATRICK J. OSHIE, Commissioner

PHILIP B. JONES, Commissioner