

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

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION,	)	DOCKET TG-080105
	)	
Complainant,	)	ORDER 02
	)	
v.	)	
	)	
HAROLD LEMAY ENTERPRISES, INC, D/B/A PIERCE COUNTY DISPOSAL, G-98	)	ORDER DISMISSING COMPLAINT AND ORDER SUSPENDING TARIFF
	)	REVISIONS; ALLOWING TARIFF REVISIONS
Respondent.	)	
.....	)	

**BACKGROUND**

- 1 On January 16, 2008, Harold LeMay Enterprises, Inc., d/b/a Pierce County Disposal (Pierce County Disposal or Company), filed with the Washington Utilities and Transportation Commission (Commission) revisions to its currently effective Tariff 8.6. The stated effective date is March 1, 2008.
- 2 On February 28, 2008, the Commission entered a Complaint and Order Suspending Tariff Revisions pending an investigation to determine whether the revisions are fair, just, reasonable and sufficient.
- 3 Staff’s review of Pierce County Disposal’s filing revealed the proposed rates were excessive. The proposed rates would have increased revenue by approximately \$1,560,000 (7.56 percent). On February 19, 2008, the Company filed revised rates at the Staff recommended level. The revised rates generate approximately \$1,500,000 (7.25 percent) additional revenue per year.
- 4 On March 1, 2008, the Consumer Affairs section sent every customer who had commented on Pierce County Disposal’s filing a letter advising each respondent of Staff’s recommended revised rates. No customer responded to Consumer Affairs’ letter.

**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 the rates, rules, 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.*
- 6 (2) Pierce County Disposal is a solid waste company and a public service company subject to Commission jurisdiction.
- 7 (3) This matter came before the Commission at its regularly scheduled meeting on April 10, 2008.
- 8 (4) The tariff revisions presently under suspension are fair, just, reasonable and sufficient because Pierce County Disposal has demonstrated that it requires additional revenues and has filed revised rates at Staff recommended level.
- 9 (5) After reviewing the tariff revisions Pierce County Disposal filed in Docket TG-080105 and giving due consideration, the Commission finds it is consistent with the public interest to dismiss the Complaint and Order Suspending Tariff Revisions in Docket UG-080105, dated February 28, 2008, and allow the tariff revisions to Tariff 8.6 to become effective on April 11, 2008.

**ORDER**

**THE COMMISSION ORDERS:**

- 10 (1) The Complaint and Order Suspending Tariff Revisions in Docket UG-080105, entered on February 28, 2008, is dismissed.
- 11 (2) The tariff revisions Harold LeMay Enterprises, Inc., d/b/a Pierce County Disposal filed in this docket on February 19, 2008, shall become effective on April 11, 2008.

DATED at Olympia, Washington, and effective April 10, 2008.

**WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

**MARK H. SIDRAN, Chairman**

**PATRICK J. OSHIE, Commissioner**

**PHILIP B. JONES, Commissioner**