

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

In the Matter of the Petition of)	DOCKET TG-091801
)	
RABANCO LTD, DBA ALLIED)	ORDER 01
WASTE SERVICES OF KENT,)	
RABANCO COMPANIES AND)	
SEA-TAC DISPOSAL, G-12,)	
)	
Petitioner,)	
)	
Requesting Authority to Retain Thirty)	
Percent of the Revenue Received From)	ORDER AUTHORIZING
the Sale of Recyclable Materials)	REVENUE SHARING FOR
Collected in Residential Recycling)	RECYCLABLE COMMODITIES
Service)	REVENUE
.....)	

BACKGROUND

- 1 On November 16, 2009, Rabanco LTD, dba Allied Waste Services of Kent, Rabanco Companies and Sea-Tac Disposal (Sea-Tac or Company) filed with the Washington Utilities and Transportation Commission (Commission) revisions to its currently effective Tariff No. 26.
- 2 The filing proposes to decrease the amount that Sea-Tac pays to residential customers and increase the amount Sea-Tac pays to multi-family customers for the value of the recyclable materials that Sea-Tac collects in its recycling service. The stated effective date is January 1, 2010. Sea-Tac filed a substitute page 31 on November 17, 2009. The Company has requested that the tariff revisions filed November 16, 2009, as revised on November 17, 2009, become effective January 1, 2010.
- 3 On November 16, 2009, Sea-Tac filed with the Commission a request to retain thirty percent of the revenue Sea-Tac receives from the sale of recyclable materials that it collects in its residential collection service.
- 4 RCW 81.77.185 states that the Commission shall allow solid waste collection companies collecting recyclable materials to retain up to 30 percent of the revenue paid to the companies for the material if the companies submit a plan to the Commission that is certified by the appropriate local government authority as being consistent with the local

government solid waste plan and that demonstrates how the revenues will be used to increase recycling. The remaining revenue shall be passed to residential customers.

5 On December 11, 2009, Sea-Tac filed its recycling plan for calendar year 2010. The plan sets forth specific actions that Sea-Tac will take including: working with King County to develop and implement a Regional Recycling Campaign; collecting, evaluating and reporting data; promoting enhanced recycling and organics collection; providing promotional and educational materials; and enhancing multi-family recycling. The plan also requires Sea-Tac to file monthly reports with the King County Solid Waste Division and provide copies to the Commission. Sea-Tac states that it will use retained revenue to:

- Develop a standard sampling protocol to use in estimating the quantities of specific materials put out for recycling in single family and multifamily collection.
- Continue to have one designated individual to coordinate with the King County recycling campaign manager to ensure that educational messages and data collection efforts suit the needs of both programs to increase recycling and reduce contaminants.
- Provide sample food scrap collection bags and brochures to new organics recycling customers.
- Continue collaboration with King County to ensure websites provide current updates on recycling and organics collection.
- Promote subscription of single-family households not currently customers of Sea-Tac by placing an ad in the “Go Green” edition of The Reporter.

6 Sea-Tac’s recycling plan, as reflected in a letter dated December 11, 2009, and signed by Kevin Kiernan, Solid Waste Division Director, King County, states, in part, that “King County believes that implementation of this recycling plan will increase the amount of materials recycled by Rabanco SeaTac customers, and hereby certifies that the provisions of this plan are consistent with the King County Comprehensive Solid Waste Management Plan. Therefore, King County recommends to the WUTC that SeaTac Disposal be allowed to retain 30% of the actual commodity values received during the period of this agreement (January 1, 2010 – December 31, 2010).” Staff recommends that the Commission grant Sea-Tac’s request to retain 30 percent of the revenue it receives from the sale of recyclable materials that it collects in its recycling service and require Sea-Tac to report to the Commission no later than February 1, 2011, the amount of revenue it retained, the amount of money it spent on the activities identified in Sea-Tac’s recycling plan and the effect the activities had on increasing recycling.

7 In summary, Staff recommends that the Commission approve the proposed commodity credits to become effective January 1, 2010, and grant Sea-Tac's request to retain 30 percent of the revenues it receives from the sale of recyclable materials that it collects in its residential and multi-family recycling service.

FINDINGS AND CONCLUSIONS

- 8 (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.*
- 9 (2) This matter came before the Commission at its regularly scheduled meeting on December 23, 2009.
- 10 (3) Sea-Tac is engaged in the business of providing solid waste services within the state of Washington and is a public service company subject to Commission jurisdiction.
- 11 (4) RCW 81.77.185 states that the Commission shall allow solid waste collection companies collecting recyclable materials to retain up to 30 percent of the revenue paid to the companies for the material if the companies submit a plan to the Commission that is certified by the appropriate local government authority as being consistent with the local government solid waste plan and that demonstrates how the revenues will be used to increase recycling. The remaining revenue shall be passed to residential customers.
- 12 (5) King County is responsible for managing waste through its Comprehensive Solid Waste Management Plan. The Director of King County's Solid Waste Division certified that Sea-Tac's recycling plan is consistent with the County's Comprehensive Solid Waste Management Plan and his recommendation that the Commission allow Sea-Tac to retain thirty percent of the revenue the company receives from the sale of recyclable material is entitled to deference by the Commission.

- 13 (6) After reviewing Sea-Tac's request to allow the proposed commodity credits filed on November 16, 2009, to become effective January 1, 2010, and request to retain 30 percent of the revenue received from the sale of recyclable materials collected in its recycling service, all filed in Docket TG-091801, and giving due consideration, the Commission finds that Sea-Tac's requests are reasonable and should be granted.

ORDER

THE COMMISSION ORDERS:

- 14 (1) The revised tariff revisions Rabanco LTD, dba Allied Waste Services of Kent, Rabanco Companies and Sea-Tac Disposal, filed on November 16, 2009, as revised on November 17, 2009, will be effective on January 1, 2010.
- 15 (2) Rabanco LTD, dba Allied Waste Services of Kent, Rabanco Companies and Sea-Tac Disposal, is authorized to retain 30 percent of the revenue it receives from the sale of recyclable materials collected in its residential and multi-family recycling programs from January 1, 2010, to December 31, 2010. Rabanco LTD, dba Allied Waste Services of Kent, Rabanco Companies and Sea-Tac Disposal, will report to the Commission no later than February 1, 2011, the amount of revenue it retained, the amount of money it spent on the activities identified in Sea-Tac's recycling plan and the effect the activities had on increasing recycling.
- 16 (3) Rabanco LTD, dba Allied Waste Services of Kent, Rabanco Companies and Sea-Tac Disposal, shall make its next commodity adjustment effective January 1, 2011, and each January 1 thereafter, and shall make all future commodity adjustment filings forty-five days prior to the proposed effective date.
- 17 (4) The Commission delegates to the Secretary the authority to approve by letter all compliance filings required in this Order.
- 18 (5) The Commission retains jurisdiction over the subject matter and Rabanco LTD, dba Allied Waste Services of Kent, Rabanco Companies and Sea-Tac Disposal, to effectuate the provisions of this Order.

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 December 23, 2009.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER, Executive Director and Secretary