

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

WASHINGTON UTILITIES AND	)	DOCKET TG-111672
TRANSPORTATION COMMISSION,)	
	)	ORDER 02
Complainant,)	
)	
v.	)	ORDER OF CONSOLIDATION AND
	)	NOTICE OF PREHEARING
MURREY'S DISPOSAL COMPANY,	)	CONFERENCE
INC., G-9,	)	(Set for November 10, 2011,
	)	at 10:30 a.m.)
Respondent.)	
.....)	
)	
WASHINGTON UTILITIES AND	)	DOCKET TG-111674
TRANSPORTATION COMMISSION,)	
	)	ORDER 02
Complainant,)	
)	
v.	)	ORDER OF CONSOLIDATION AND
	)	NOTICE OF PREHEARING
AMERICAN DISPOSAL COMPANY,	)	CONFERENCE
INC., G-87,	)	(Set for November 10, 2011,
	)	at 10:30 a.m.)
Respondent.)	
.....)	
)	
WASHINGTON UTILITIES AND	)	DOCKET TG-111681
TRANSPORTATION COMMISSION,)	
	)	ORDER 02
Complainant,)	
)	
v.	)	ORDER OF CONSOLIDATION AND
	)	NOTICE OF PREHEARING
MASON COUNTY GARBAGE CO.,	)	CONFERENCE
INC. D/B/A MASON COUNTY	)	(Set for November 10, 2011,
GARBAGE, G-88,	)	at 10:30 a.m.)
)	
Respondent.)	
.....)	

- 1 On September 15, 2011, in Docket TG-111672, Murrey's Disposal Company, Inc. (Murrey's Disposal) filed with the Washington Utilities and Transportation Commission (Commission) revisions to its currently effective Tariff No. 25, designated as Tariff pages 1, 21, 25, 27, 28, 30, 46, 47, 48 and 49.
- 2 On September 15, 2011, in Docket TG-111674, American Disposal Company, Inc. (American Disposal) filed with the Commission revisions to its currently effective Tariff No. 25, designated as Tariff pages 1, 21, 25, 27, 28, 30, 46, 47, 49 and 49.
- 3 Murrey's Disposal and American Disposal both propose to increase the amount they pay to single family and multi-family customers for the value of the recyclable materials that they collect in their residential recycling collection service. The monthly credit for single family customers of each company would increase from \$1.31 to \$1.69 and the monthly credit for multi-family customers would increase from \$0.67 per yard to \$0.76 per yard for each pickup. Murrey's Disposal and American Disposal also filed a request to retain fifty percent of the revenue they receive from the sale of recyclable materials that they collect in their residential single and multi-family recycling collection service from November 1, 2011, to October 31, 2012.
- 4 On September 16, 2011, in Docket TG-111681, Mason County Garbage Co., Inc. d/b/a Mason County Garbage (Mason County Garbage) filed with the Commission revisions to its currently effective Tariff No. 13, designated as Tariff pages 1, 21 and 21A.
- 5 In its filing, Mason County Garbage proposes to increase the amount it pays to single family customers for the value of the recyclable materials that it collects in its residential recycling collection service. The monthly credit for single family customers would increase from \$1.75 to \$2.13. Mason County Garbage also requested the Commission allow it to retain thirty percent of the revenue it receives from the sale of recyclable materials that it collects in its residential single-family recycling collection service from November 1, 2011, to October 31, 2012.
- 6 On October 31, 2011, the Commission, by Order 01, suspended operation of the tariffs in Dockets TG-111672, TG-111674, and TG-111681.

ORDER OF CONSOLIDATION

7 THE COMMISSION ORDERS That these matters are consolidated for purposes of hearing and determination. The Commission reserves the right to hold separate hearings and to enter separate orders in the individual dockets as it deems appropriate.

NOTICE OF PREHEARING CONFERENCE

8 The Commission has jurisdiction over this matter under RCW Title 81, and has legal authority to regulate the rates, services, and practices of solid waste collection companies pursuant to RCW 81.77. The statutes that apply to this matter include RCW 81.04 and RCW 81.28 relating to rates, including but not limited to RCW 81.01.010 and RCW 81.04.020. The rules that apply to this matter include those within WAC 480-70, relating to solid waste collection companies.

9 The Commission will hear this matter under the Administrative Procedure Act (APA), particularly Part IV of RCW 34.05 relating to adjudications. The provisions of the APA that relate to this proceeding include, but are not limited to RCW 34.05.413, RCW 34.05.422, RCW 34.05.431, RCW 34.05.440, RCW 34.05.449, and RCW 34.05.452. The Commission will also follow its procedural rules in WAC 480-07 in this proceeding.

10 The Commission finds there is good cause to hear this matter on shortened notice. *See* WAC 480-07-440(1)(a).

11 **THE COMMISSION GIVES NOTICE That it will hold a prehearing conference in this matter at 10:30 a.m., on November 10, 2011, in the Commission's Hearing Room, Second Floor, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.**

12 The purpose of the prehearing conference is to consider requests for intervention, resolve scheduling matters including establishing dates for distributing evidence and workpapers, to identify the issues in the proceeding and determine other matters to assist the Commission in resolving the matter, as listed in WAC 480-07-430.

13 **ISSUES:** The Commission must determine whether the 2011-2012 recycling revenue sharing plan that each company has submitted demonstrates how the revenues each company retains under the plan will be used to increase recycling. In addition, the

Commission will review each company's compliance with its 2010-2011 plan to determine whether the monthly credits contained in the suspended tariff filings are fair, just, reasonable, and sufficient.

14 **SCHEDULE:** The Commission seeks a prompt resolution of the issues presented in this proceeding. The parties should be prepared to discuss how best to accomplish this objective, including but not necessarily limited to scheduling an evidentiary hearing after a period for discovery without prefiled testimony or presenting the issues through briefing based on stipulated facts.

15 **INTERVENTION:** Persons who wish to intervene should file a petition to intervene in writing at least three business days before the date of the prehearing conference. *See* WAC 480-07-355(a). The Commission will consider oral petitions to intervene during the conference, but strongly prefers written petitions to intervene. Party representatives must file a notice of appearance with the Commission no later than the business day before the conference. *See* WAC 480-07-345(2). Any party or witness in need of an interpreter or other assistance should fill out the form attached to this notice and return it to the Commission. The Commission will set the time and place for any evidentiary hearings at the prehearing conference, on the record of a later conference or hearing session, or by later written notice.

16 **THE COMMISSION GIVES NOTICE that any party who fails to attend or participate in the prehearing conference set by this Notice, or any other stage of this proceeding, may be held in default under RCW 34.05.440 and WAC 480-07-450.**

17 The names and mailing addresses of all known parties and their known representatives are as follows:

Complainant: Washington Utilities and
Transportation Commission
1300 S. Evergreen Park Drive S.W.
P.O. Box 47250
Olympia, WA 98504-7250
(360) 664-1160

Representative: Gregory J. Trautman
Assistant Attorney General
1400 S. Evergreen Park Drive S.W.
P.O. Box 40128
Olympia, WA 98504-0128
(360) 664-1187
gtrautma@utc.wa.gov

Respondents: Murrey's Disposal Company, Inc.
P.O. Box 399
Puyallup, WA 98371

American Disposal Company, Inc.
P.O. Box 399
Puyallup, WA 98371

Mason County Garbage Co., Inc.
d/b/a Mason County Garbage
81 East Wilburs Way
Shelton, WA 98584

Representative: David W. Wiley
Attorney at Law
Williams, Kastner & Gibbs PLLC
Two Union Square
601 Union Street, Suite 4100
Seattle, WA 98101
(206) 233-2895

18 The Commissioners of the Washington Utilities and Transportation Commission and Administrative Law Judge Gregory J. Kopta from the Commission's Administrative Law Division, will preside during this proceeding.

- 19 The Commission will give parties notice of any other procedural phase of the proceeding in writing or on the record, as appropriate during this proceeding.

DATED at Olympia, Washington, and effective November 1, 2011.

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER
Executive Director and Secretary

Inquiries may be addressed to:

Executive Director and Secretary
Washington State Utilities and
Transportation Commission
Richard Hemstad Building
1300 S. Evergreen Park Drive S.W.
P.O. Box 47250
Olympia, WA 98504-7250
(360) 664-1160

NOTICE

Hearing facilities are accessible to persons with disabilities. Smoking is prohibited. If limited English-speaking, hearing-impaired parties or witnesses are involved in a hearing and need an interpreter, a qualified interpreter will be appointed at no cost to the party or witness.

If you need an interpreter, or have other special needs, please fill out this form and return it to Washington State Utilities and Transportation Commission, Attention: David W. Danner, 1300 S. Evergreen Park Drive SW, P. O. Box 47250, Olympia, WA 98504-7250. (PLEASE SUPPLY ALL REQUESTED INFORMATION)

Docket : _____

Case Name: _____

Hearing Date: _____ Hearing Location: _____

Primary
Language: _____

Hearing Impaired (Yes) _____ (No) _____

Do you need a certified sign language interpreter:

Visual _____ Tactile _____

Other type of assistance needed: _____

English-speaking person who can be contacted if there are questions:

Name: _____

Address: _____

Phone No.: (____) _____