

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

WASHINGTON UTILITIES AND)	DOCKET TG-072041
TRANSPORTATION COMMISSION,)	
)	ORDER 01
Complainant,)	
)	
v.)	
)	
RABANCO LTD, d/b/a ALLIED)	COMPLAINT AND ORDER
WASTE SERVICES OF KLICKITAT)	SUSPENDING TARIFF REVISIONS;
COUNTY AND TRI-COUNTY)	ALLOWING REVISED RATES TO
DISPOSAL, G-12)	BECOME EFFECTIVE DECEMBER 1,
)	2007, ON A TEMPORARY BASIS,
Respondent)	SUBJECT TO REFUND
.....)	

BACKGROUND

- 1 On October 16, 2007, Rabanco LTD, d/b/a Allied Waste Services of Klickitat County and Tri-County Disposal (Tri-County or Company) filed with the Washington Utilities and Transportation Commission (Commission) rates in new Tariff No. 8. The filing increases residential, commercial and drop box solid waste rates.

- 2 Tri-county’s proposed rates were designed to increase revenues by \$278,600 (34.67 percent) annually. Commission Staff’s review revealed that proposed rates were excessive. Staff and the Company negotiated revised rates that would increase annual revenues by approximately \$114,800 (14.29 percent). On November 16, 2007, Tri-County filed lower revised rates on substitute tariff pages to reflect the reduced rate.

- 3 The Commission received seven comments on this filing. Five customers objected to the rate increase and two support the proposed increase.

- 4 Customers deserve to know about, and comment on, 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. Tri-County, 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 December 1, 2007, on a temporary basis, subject to refund. Public hearings may be held to determine whether the proposed changes are fair, just, reasonable and sufficient.

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 81.16, RCW 81.28 and RCW 81.77.*
- 7 (2) Tri-County 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 November 28, 2007.
- 9 (4) The tariff revisions filed by Tri-County on October 16, 2007, and the substitute pages filed on November 16, 2007, increase solid waste rates.
- 10 (5) Tri-County has not yet demonstrated that the provisions for solid waste rates are fair, just, reasonable and sufficient. The Commission finds it reasonable to allow the revised rates filed on November 16, 2007, to become effective December 1, 2007, on a temporary basis subject to refund.
- 11 (6) Tri-County 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 by Rabanco LTD, d/b/a Allied Waste Services of Klickitat County and Tri-County Disposal on October 16, 2007, are suspended.
- 13 (2) The proposed revised tariff pages filed on November 16, 2007, shall become effective on December 1, 2007, on a temporary basis, subject to refund if the Commission determines that different rates will be fair, just, reasonable and sufficient.
- 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 Klickitat County and Tri-County Disposal must not change or alter the tariff 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 Klickitat County and Tri-County 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 Klickitat County and Tri-County 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.

DATED at Olympia, Washington, and effective November 28, 2007.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARK H. SIDRAN, Chairman

PATRICK J. OSHIE, Commissioner