

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

WASHINGTON UTILITIES AND)	DOCKET TG-051904
TRANSPORTATION COMMISSION,)	
)	ORDER 02
Complainant,)	
)	
v.)	
)	
RABANCO LTD, AND RABANCO)	
RECYCLING, INC., D/B/A)	ORDER DISMISSING
EASTSIDE DISPOSAL CO., INC.)	COMPLAINT AND ORDER
G-12)	SUSPENDING TARIFF
)	REVISIONS; GRANTING TARIFF
Respondent.)	REVISIONS
.....)	

BACKGROUND

- 1 On December 7, 2005, Rabanco LTD and Rabanco Recycling, Inc., d/b/a Eastside Disposal Co., Inc., (Eastside) filed with the Commission revisions to its currently effective Tariff 11.
- 2 On December 28, 2005, the Commission entered a Complaint and Order Suspending Tariff Revisions pending an investigation to determine whether the revisions are fair, just and reasonable.
- 3 RCW 81.77.185 allows a company collecting recyclable materials to retain up to thirty percent of the revenue (revenue sharing) paid to the company for the material if the company submits 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. Eastside and King County have come to an agreement (Attachment A) which lays out Eastside's requirements to retain 30% of revenues collected from commodity sales. King county has recommended Eastside retain 30% of the value of sold commodities for the remainder of 2006. The commodity credit is set to expire December 31, 2006. On or before that date, King County will review Eastside's performance and determine what percentage of revenue sharing it will recommend the commission allow in the upcoming period. The agreement requires Eastside to report specific data in a timely and accurate manner to King County and the Commission. Staff agrees with the agreement and ongoing reporting requirements.

4 During the suspension period, Staff further investigated the proposed commodity credit. Those items are contained in Item 100, Page 21, Item 100, Page 23, Item 105, Page 27, Item 106, Page 30, Item 107, Page 31, and Item 110, Page 32. Staff has determined the commodity credit should be revised upward. The revised commodity credit includes a 30 percent revenue sharing calculation along with revisions to Eastside's original calculations. The previous commodity credit expired December 31, 2005. The commodity credit in effect during the suspension period is the original proposed commodity credit allowed on a temporary basis. The proposed effective date of the revised commodity credit is April 1, 2006. Eastside will issue a credit on customer's bills for the difference between the proposed revised commodity credit and the temporary commodity credit prorated over nine months.

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 rates, rules, regulations, practices, accounts, securities, and transfers of public service companies, including solid waste companies. *RCW 80.01.040; Chapter 81.01 RCW; Chapter 81.04 RCW; Chapter 81.28 RCW and Chapter 81.77 RCW.*
- 6 (2) Eastside is a solid waste company and is a public service company subject to the jurisdiction of the Commission.
- 7 (3) This matter was brought before the Commission at its regularly scheduled meeting on March 29, 2006.
- 8 (4) The revised commodity credits are fair, just and reasonable.
- 9 (5) After review of the tariff revision(s) filed in Docket TG-051904 by Eastside and giving due consideration, the Commission finds it is consistent with the public interest that the Complaint and Order Suspending Tariff Revision(s) in Docket TG-051904, dated December 28, 2005, be dismissed and the tariff revision(s) to Tariff 11 become effective on April 1, 2006.

ORDER

THE COMMISSION ORDERS:

- 10* (1) The Complaint and Order Suspending Tariff Revision(s) in Docket TG-051904, dated December 28, 2005, is dismissed.
- 11* (2) The tariff revisions filed in this docket on March 20, 2006 shall become effective on April 1, 2006.
- 12* (3) Eastside is allowed to retain up to 30 percent of the revenue it receives from selling recyclable materials as set forth in Attachment A. Attachment A sets forth specific plan elements, the amount of revenue associated with each plan element and the performance requirements that Eastside must meet to retain the revenue.

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 March 29, 2006.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Executive Secretary