

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

WASHINGTON UTILITIES AND)	DOCKET TG-071785
TRANSPORTATION COMMISSION,)	
)	ORDER 02
Complainant,)	
)	
v.)	
)	
WASTE MANAGEMENT OF)	
WASHINGTON, INC., d/b/a BREM-)	ORDER DISMISSING COMPLAINT
AIR DISPOSAL, G-237,)	AND ORDER SUSPENDING TARIFF
)	REVISIONS; GRANTING TARIFF
Respondent)	REVISIONS
.....)	

BACKGROUND

- 1 On August 31, 2007, Waste Management of Washington, Inc., d/b/a Brem-Air Disposal (Brem-Air or Company) filed with the Washington Utilities and Transportation Commission (Commission) a new Tariff No. 20. The filing increases residential, commercial and drop box solid waste rates. It also sets rates for a new residential curbside recycle service.

- 2 Brem-Air's proposed rates were designed to increase revenues by \$ 861,700 (6.56 percent) annually. Commission Staff's review revealed that some proposed rates were excessive. Staff and the Company negotiated revised rates that would increase annual revenues by approximately \$ 762,218 (5.89 percent). On October 8, 2007, Brem-Air filed lower revised rates on substitute tariff pages to reflect this reduced revenue level.

- 3 The Commission has received 18 comments on the original rates filed. Sixteen objected to the increase with four expressing service related issues also. One commenter was undecided and another is in support of the proposed increase.

- 4 On October 10, 2007, the Commission entered a Complaint and Order Suspending Tariff Revisions to allow customers the opportunity to comment on the revised rates before determining whether the revisions were fair, just, reasonable and sufficient. The Commission allowed the revised rates to go into effect on a temporary basis, subject to refund effective October 15, 2007.

5 On October 11, 2007, a letter was sent to 18 customers who expressed an interest in this filing. The letter showed current, proposed and revised rates. It also made customers aware of a decision at the October 10, 2007, Commission open meeting, to allow the revised rates on a temporary basis effective October 15, 2007. Customers were also informed that the Commission would decide whether to make the revised rates permanent at the October 24, 2007, open meeting.

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) Brem-Air 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 October 10, 2007.
- 9 (4) The tariff revisions filed by Brem-Air on August 31, 2007, and the substitute pages filed on October 8, 2007, increase solid waste rates and establish rates for a new curbside recycling program.
- 10 (5) The Commission allowed the revised rates filed on October 8, 2007, to become effective October 15, 2007, on a temporary basis subject to refund.
- 11 (6) On October 11, 2007, a letter was sent to 18 customers who expressed an interest in this filing. The letter showed current, proposed and revised rates. It also made customers aware of a decision at the October 10, 2007, Commission open meeting, to allow the revised rates on a temporary basis effective October 15, 2007. Customers were also informed that the Commission would decide whether to make the revised rates permanent at the October 24, 2007, open meeting.

- 12 (7) Brem-Air has demonstrated that it requires additional revenues and the revised rates, now in effect on a temporary basis are fair, just, reasonable and sufficient, and should become effective permanently

ORDER

THE COMMISSION ORDERS:

- 13 (1) The Complaint and Order Suspending Tariff Revisions in Docket TG-071785 dated October 10, 2007, is dismissed.
- 14 (2) The proposed revised rates the Company filed on October 8, 2007, that reflect Staff-recommended levels are approved to become effective November 1, 2007, on a permanent basis.

DATED at Olympia, Washington, and effective October 24, 2007.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARK H. SIDRAN, Chairman

PATRICK J. OSHIE, Commissioner

PHILIP B. JONES, Commissioner