

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

WASHINGTON UTILITIES AND	)	DOCKET TG-081518
TRANSPORTATION COMMISSION,	)	
	)	ORDER 01
Complainant,	)	
	)	
v.	)	
	)	
WASTE CONNECTIONS OF	)	COMPLAINT AND ORDER
WASHINGTON, INC., G-253	)	SUSPENDING TARIFF; ALLOWING
	)	RATES ON A TEMPORARY BASIS,
Respondent.	)	SUBJECT TO REFUND
.....	)	

**BACKGROUND**

- 1     On August 15, 2008, Waste Connections of Washington, Inc., (Waste Connections or Company), filed with the Washington Utilities and Transportation Commission (Commission) revisions to its currently effective Tariff No. 2. The stated effective date is October 1, 2008.
- 2     In this filing, Waste Connections proposes to increase garbage rates to residential and commercial customers. Waste Connections' proposed rates were designed to increase revenues by \$959,800 (5.4 percent) annually. Commission Staff's review revealed that the proposed rates were excessive. Staff and Waste Connections negotiated revised rates that would increase annual revenues by approximately \$772,000 (4.4 percent). On September 16, 2008, Waste Connections filed revised, lower rates on substitute tariff pages to reflect this reduced revenue level.
- 3     The Commission received comments from six customers concerning Waste Connections' original August 15, 2008, filing. One customer supported the proposed increase. However, the majority of the commenters stated concerns about the amount of the proposed increase. Staff's goal is to recommend rates that will allow the Company to recover reasonable operating costs and allow the opportunity to earn a reasonable return on its investment. The customers have not yet had the opportunity to comment on the proposed revised rates filed by Waste Connections on September 16, 2008.
- 4     Customers who have submitted comments to the Commission deserve to know about, and comment on, the 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. Waste Connections, 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 October 1, 2008, on a temporary basis, subject to refund.

### 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 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.*
- 7 (2) Waste Connections is a solid waste company and a public service company subject to Commission jurisdiction.
- 8 (3) This matter came before the Commission at its regularly scheduled meeting on September 25, 2008.
- 9 (4) The tariff revisions Waste Connections filed on August 15, 2008, and the substitute pages filed on September 16, 2008, would increase charges and rates for garbage service provided by Waste Connections.
- 10 (5) Waste Connections has not yet demonstrated that the provisions for the rates are fair, just, reasonable and sufficient. The Commission finds it reasonable to allow the revised rates filed on September 16, 2008, to become effective October 1, 2008, on a temporary basis, subject to refund.
- 11 (6) Under RCW 81.04.130 and RCW 81.04.220, the Commission deems it necessary to further investigate this tariff filing in order to determine just and reasonable rates, which may include rates that are the same as, higher than or lower than

existing or proposed rates. The Commission may also order reparations to the extent the Commission finds that any rate charged by the company and subject to this investigation is excessive or exorbitant.

- 12 (7) As required by RCW 81.04.130 (4), Waste Connections bears the burden of proof to show that the proposed increase is fair, just, reasonable and sufficient. Nothing in this Order is intended to limit the issues as to the fairness, justness, reasonableness and sufficiency of the proposed increase.
- 13 (8) Waste Connections may be required to pay the expenses reasonably attributable and allocable to such further investigation, consistent with RCW 81.20.

### **ORDER**

#### **THE COMMISSION ORDERS:**

- 14 (1) The tariff revisions Waste Connections of Washington, Inc., filed on August 15, 2008, are suspended.
- 15 (2) The proposed revised tariffs Waste Connections of Washington, Inc., filed on September 16, 2008, shall become effective on October 1, 2008, on a temporary basis, subject to refund if the Commission determines that different rates will be fair, just, reasonable and sufficient.
- 16 (3) Waste Connections of Washington, Inc., must not change or alter the tariff pages filed in this docket during the suspension period, unless the Commission authorizes the change in this docket.
- 17 (4) The Commission may institute a further investigation of Waste Connections of Washington, Inc.'s books, accounts, practices, activities, property and operations and may hold hearings if needed at such times and places as required.
- 18 (5) Waste Connections of Washington, Inc., shall pay the expenses reasonably attributable and allocable to the Commission's investigation, consistent with RCW 81.20.

DATED at Olympia, Washington, and effective September 25, 2008.

**WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

**MARK H. SIDRAN, Chairman**

**PATRICK J. OSHIE, Commissioner**

**PHILIP B. JONES, Commissioner**