

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

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION,	)	DOCKETS TG-090097 and TG-090098
	)	
Complainant,	)	ORDER 01
	)	
v.	)	
	)	
MURREY’S DISPOSAL COMPANY, INC., G-9 AND AMERICAN DISPOSAL COMPANY, INC., G-87	)	COMPLAINT AND ORDER SUSPENDING TARIFF; ALLOWING RATES ON A TEMPORARY BASIS,
Respondent.	)	SUBJECT TO REFUND
.....	)	

**BACKGROUND**

- 1     On January 15, 2009, Murrey’s Disposal Company, Inc., and American Disposal Company, Inc., (collectively “Murrey’s and American” or Companies), filed with the Washington Utilities and Transportation Commission (Commission) revised pages to their Tariff No. 25. The Companies are under common ownership and have identical rates. The Companies serve approximately 52,000 customers in Pierce County. The stated effective date is March 1, 2009.
- 2     In these filings, Murrey’s and American propose to pass through increased disposal fees to garbage customers, and increase rates for drop box, residential recycling, recycling station, and yardwaste collection services. Murrey’s and American proposed rates that are designed to increase revenues by \$1,186,064 (4.3 percent) annually.
- 3     The proposed residential and commercial garbage rate increases are prompted by a \$6.79 per ton tip fee increase at Land Recovery, Inc., the disposal site in Pierce County. Murrey’s and American will notify customers of this disposal fee pass-through on their next bill. Proposed rates would generate \$502,669 (1.8 percent) in additional annual revenue.
- 4     Staff’s analysis showed the Companies’ proposed rates for disposal fees would generate \$26,849 in excess annual revenue. Staff and the Companies agreed to revised rates for disposal fees that would generate \$475,820 (1.7 percent) in additional annual revenue. On February 23, 2009, the Companies filed substitute pages with the Commission at Staff’s recommended revised rates. If the Commission suspends the tariffs, the portion of

the tariffs for the increased disposal fees shall become effective on an interim basis, subject to refund.

- 5 Staff's analysis showed a higher revenue requirement for drop box, residential recycling, recycling station, and yardwaste collection services than what the Companies proposed. Staff's analysis also showed that the revised garbage rates, including the pass-through disposal fees, may be too high and generate more than the required revenue requirement. Staff recommended that the Commission allow the proposed rates for drop box, residential recycling, recycling station, and yardwaste collection services, and the revised garbage rates to become effective on a temporary basis, subject to refund, to determine if the revenue requirements identified by Staff require any changes to those rates.
- 6 Murrey's and American notified the recycling and yard waste customers of the proposed rate increase by mail on January 28, 2009. The Commission received comments from 68 customers concerning Murrey's and American's original January 15, 2009, filings. The majority of the comments concerned the percentage increase in the recycling and yard waste rates.
- 7 The proposed revised rates might injuriously affect the rights and interests of the public. The Commission therefore suspends the tariff filings. Because Staff has completed its audit and determined that the Companies' financial information supports the proposed rates for drop box, residential recycling, recycling station, and yardwaste collection services, and the revised rates for garbage service, the Commission accepts those rates to become effective on March 1, 2009, on a temporary basis, subject to refund.

### FINDINGS AND CONCLUSIONS

- 8 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington vested by statute with the authority to regulate the 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.*
- 9 (2) Murrey's and American are solid waste companies and public service companies subject to Commission jurisdiction.

- 10 (3) These matters came before the Commission at its regularly scheduled meeting on February 26, 2009.
- 11 (4) The tariff revisions Murrey's and American filed on January 15, 2009, and the substitute pages filed on February 23, 2009, pass through increased disposal fees to garbage customers, and increase rates for drop box, residential recycling, recycling station, and yardwaste collection services.
- 12 (5) Murrey's and American have not yet demonstrated that the proposed rates are fair, just, reasonable and sufficient. The Commission finds it reasonable to allow the proposed rates filed on January 15, 2009, and the substitute revised rates filed on February 23, 2009, to become effective March 1, 2009, on a temporary basis, subject to refund.
- 13 (6) In addition, the Commission invokes the rights, remedies and procedures contained in the reparations statute, [RCW 81.04.220](#), to the extent the Commission finds that any rate subject to this investigation is excessive or exorbitant.
- 14 (7) Murrey's and American may be required to pay the expenses reasonably attributable and allocable to such an investigation consistent with the provisions of [RCW 81.20.020](#).

**ORDER**

**THE COMMISSION ORDERS:**

- 15 (1) The tariff revisions Murrey's Disposal Company, Inc., and American Disposal Company, Inc., filed on January 15, 2009, and the substitute pages the Companies filed on February 23, 2009, are suspended.
- 16 (2) The proposed tariffs Murrey's Disposal Company, Inc., and American Disposal Company, Inc., filed on January 15, 2009, and the substitute revised pages the Companies filed on February 23, 2009, shall become effective on March 1, 2009, on a temporary basis, subject to refund if the Commission determines that different rates will be fair, just, reasonable and sufficient.

- 17 (3) The Commission may hold hearings if needed at such times and places as required.
- 18 (4) Murrey's Disposal Company, Inc., and American Disposal Company, Inc., must not change or alter the tariff pages filed in these dockets during the suspension period, unless the Commission authorizes the change in these dockets.
- 19 (5) The Commission will institute an investigation of Murrey's Disposal Company, Inc.'s, and American Disposal Company, Inc.'s, books, accounts, practices, activities, property and operations as necessary and as described above.
- 20 (6) Murrey's Disposal Company, Inc., and American Disposal Company, Inc., shall pay the expenses reasonably attributable and allocable to the Commission's investigation, consistent with [RCW 81.20.020](#).

DATED at Olympia, Washington, and effective February 26, 2009.

**WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

**JEFFREY D. GOLTZ, Chairman**

**PATRICK J. OSHIE, Commissioner**

**PHILIP B. JONES, Commissioner**