

Agenda Date: September 30, 2010

Item Number: B2

Docket: TG-101248

Company Name: Waste Management of Washington, Inc. dba Brem-Air Disposal G-237

Staff: David Gomez, Deputy Assistant Director – Water and Transportation

Dennis Shutler, Consumer Protection Staff

Recommendation

Staff recommends that the commission take no action, thereby allowing the proposed rates to become effective October 1, 2010, by operation of law.

Background

On July 21, 2010, Waste Management of Washington, Inc. dba Brem-Air Disposal (Brem-Air or company), filed with the Utilities and Transportation Commission (commission) revised tariff pages 2, 19, 21, 22, 23 and 24 to its Tariff Number 20 reflecting the adoption of Kitsap County Ordinance 453-2010 that expands the mandatory-pay curbside recycling service to the entire county and adds compostable organics to the yard waste collection service. The company had originally requested an effective date of September 1, 2010; however, on August 20, 2010, on advice of consumer protection staff, the company filed replacement pages to change the effective date from September 1 to October 1, 2010, to allow for customer notice as required in WAC 480-70-271 (1) (a).

In mid to late September, customers will be receiving a 64-gallon recycling cart along with a collection schedule and recycling guidelines. Customers will be billed the same amount as other customers receiving this service (monthly fee of \$4.05 plus or minus the value of the materials which is adjusted each year via a commission approved deferred accounting mechanism). Customers can offset this added cost by reducing their current level of garbage service.

Customer Comments

On September 1, 2010, the company notified its customers of Kitsap County's mandatory recycling program by mail and the costs for recycling. The commission received 16 customer comments on this filing; ten oppose Kitsap County's recycling program, three are undecided and three support the filing.

Consumer Protection staff advised customers that they may access all company documents about this rate case at www.utc.wa.gov, and that they may contact Dennis Shutler at 1-888-333-9882 with questions or concerns.

General Comments

- Eight customers believe they should not have to pay for a service they do not want and will not use. Two customers stated they may cancel their service altogether.

Staff Response - Kitsap County commissioners approved the ordinance that requires all residential garbage customers to pay for recycling service, even if the customer chooses not to recycle. Solid waste companies must comply with the ordinance. The commission lacks the authority to override the county commissioner's decisions to require a mandatory-pay recycling program.

- Three customers believe the 64-gallon containers are too large and difficult to handle.

Staff Response - Kitsap County's ordinance requires that a smaller bin (35-gallon) be available. The company will provide this size container to customers wanting an easier-to-handle container.

Conclusion

Take no action, thereby allowing the proposed rates to become effective October 1, 2010, by operation of law.