

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

WASHINGTON UTILITIES AND)	DOCKET TG-090380
TRANSPORTATION COMMISSION,)	
)	ORDER 02
Complainant,)	
)	
v.)	
)	
POINTS RECYCLING AND REFUSE,)	ORDER DISMISSING
LLC,)	COMPLAINT AND ORDER
)	SUSPENDING TARIFF
Respondent.)	REVISIONS

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BACKGROUND

- 1 On March 11, 2009, Points Recycling and Refuse, LLC (Points or Company) filed with the Commission revisions, including 9th Revised Page No. 2 and 4th Revised Page No. 25, to its currently effective Tariff No. 1. The stated effective date is May 1, 2009.
- 2 The filing sought revisions to tariffs that were subject to a suspension order in consolidated Docket TG-081089. On April 30, 2009, the Commission entered a Complaint and Order Suspending Tariff Revisions in Docket TG-090380 pending an investigation to determine whether the revisions are fair, just, reasonable and sufficient. The revisions were allowed on a temporary basis subject to refund.
- 3 On June 17, 2009, the Commission issued its final order, Order 11, in consolidated Docket TG-081089, granting Points' request to cancel its certificate of public convenience and necessity to provide solid waste and residential recycling collection service in Point Roberts under certificate G-155, effective July 1, 2009. On June 30, 2009, Points reported to Commission Staff that Points had collected all of its commercial solid waste containers and ceased business.
- 4 Because Points' certificate and tariff are now cancelled, the suspension order in Docket TG-090380 is moot.

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 the rates, rules, 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.
- 6 (2) At the time this proceeding was commenced, Points was a solid waste collection company and a public service company subject to Commission jurisdiction. Effective July 1, 2009, the Company no longer holds a certificate of public convenience and necessity to operate as a solid waste collection company.
- 7 (3) Because Points no longer possesses authority to operate as a solid waste collection company, the Commission finds it is consistent with the public interest to dismiss, as moot, the Complaint and Order Suspending Tariff Revisions in Docket TG-090380, dated April 30, 2009.

ORDER

THE COMMISSION ORDERS:

- 8 (1) The Complaint and Order Suspending Tariff Revisions in Docket TG-090380, entered on April 30, 2009, is dismissed.

The Commissioners, having determined this Order to be consistent with the public interest, directed the Executive Director and Secretary to enter this Order.

DATED at Olympia, Washington, and effective August 13, 2009.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER, Executive Director and Secretary