

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

WASHINGTON UTILITIES AND)	DOCKET TG-090087
TRANSPORTATION COMMISSION,)	
)	ORDER 02
Complainant,)	
)	
v.)	
)	ORDER DISMISSING
RUBATINO REFUSE REMOVAL,)	COMPLAINT AND ORDER
INC., G-58)	SUSPENDING TARIFF
)	REVISIONS; ALLOWING TARIFF
Respondent.)	REVISIONS
.....)	

BACKGROUND

- 1 On January 14, 2009, Rubatino Refuse Removal, Inc., (Rubatino or Company) filed with the Washington Utilities and Transportation Commission (Commission) revisions to its currently effective Tariff No. 7. The stated effective date is March 1, 2009.
- 2 On February 26, 2009, the Commission entered a Complaint and Order Suspending Tariff Revisions pending an investigation to determine whether the revisions are fair, just, reasonable and sufficient.
- 3 In this filing, Rubatino proposes to increase garbage, recycling and yard waste collection rates. Rubatino’s proposed rates were designed to increase revenues by \$1,834,000 (11.7 percent) annually. Commission Staff’s review revealed that the proposed rates were excessive. Staff and the Company negotiated revised rates that would increase annual revenues by approximately \$1,650,000 (10.5 percent). On February 20, 2009, Rubatino filed revised, lower rates on substitute tariff pages to reflect the lower revenue level.
- 4 At the open meeting on February 26, 2009, the Commission allowed the revised rates filed on February 20, 2009, to become effective March 1, 2009, on a temporary basis, subject to refund.
- 5 Staff has not received any new information that changes its opinion that the Company’s supporting financial documents, books and records show that the expenses are reasonable and required as part of the Company’s operations, the Company’s financial information supports the revised revenue requirement, and the revised rates and charges are fair, just, reasonable and sufficient.

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 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.*
- 7 (2) Rubatino 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 May 28, 2009.
- 9 (4) The tariff revisions presently under suspension are fair, just, reasonable and sufficient because Rubatino has demonstrated that it requires additional revenues and has filed revised rates at Staff's recommended levels.
- 10 (5) After reviewing the tariff revisions Rubatino filed in Docket TG-090087 and giving due consideration, the Commission finds it is consistent with the public interest to dismiss the Complaint and Order Suspending Tariff Revisions in Docket TG-090087, dated February 26, 2009, and allow the tariff revisions to Tariff No. 7 to become effective on June 1, 2009, on a permanent basis.

ORDER

THE COMMISSION ORDERS:

- 11 (1) The Complaint and Order Suspending Tariff Revisions in Docket TG-090087, entered on February 26, 2009, is dismissed.
- 12 (2) The revised tariff revisions Rubatino Refuse Removal, Inc., filed in this docket on February 20, 2009, shall become effective on June 1, 2009, on a permanent basis.

DATED at Olympia, Washington, and effective May 28, 2009.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

PATRICK J. OSHIE, Commissioner

PHILIP B. JONES, Commissioner