

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

WASHINGTON UTILITIES AND	)	DOCKET TG-101157
TRANSPORTATION	)	
COMMISSION,	)	ORDER 02
	)	
Complainant,	)	
	)	
RABANCO, LTD., d/b/a	)	
LYNNWOOD DISPOSAL, MALTBY	)	ALLOW TARIFF REVISIONS, ON
DIVISION, G-12,	)	LESS THAN STATUTORY
	)	NOTICE; GRANTING
Respondent	)	EXEMPTIONS FROM RULES
.....	)	

**BACKGROUND**

- 1     On July 1, 2010, Rabanco LTD. d/b/a Lynnwood Disposal, Maltby Division (Lynnwood or Company) filed with the Utilities and Transportation Commission (Commission) tariff revisions to its currently effective tariff No. 4 designated as 17<sup>th</sup> revised page No. 1, 10<sup>th</sup> revised page No. 21, 11<sup>th</sup> revised page No. 21a, 10<sup>th</sup> revised page no. 25, 1<sup>st</sup> revised page No. 25a, 1<sup>st</sup> revised page No. 25b, 1<sup>st</sup> revised page No. 30, 3<sup>rd</sup> revised page No. 35, 3<sup>rd</sup> revised page No. 36, 2<sup>nd</sup> revised page No. 37, 2<sup>nd</sup> revised page no. 38, 3<sup>rd</sup> revised page No. 39, and 3<sup>rd</sup> revised page No. 40. The purpose of the filing is to increase rates due to increases in labor, healthcare, pension, maintenance and fuel costs. The stated effective date is August 15, 2010. Lynnwood’s last general rate increase became effective on June 1, 2005.
- 2     In this filing, Lynnwood proposes to increase charges and rates for service it provides by approximately \$357,000 (4.2 percent). Lynnwood provides regulated service to approximately 47,000 residential and commercial customers in Snohomish County.
- 3     Staff’s analysis showed a higher revenue requirement for residential and commercial garbage collection, and a lower revenue requirement for residential recycling, multi-family recycling, and residential yard waste than what the Company proposed.
- 4     Staff and the Company agreed to a revised revenue requirement of approximately \$390,000 (4.6 percent) in additional annual revenue and revised rates. On August 4, 2010, the Company filed revised rates at Staff recommended levels.

- 5 Lynnwood has requested the increase become effective August 15, 2010. This requires a mid-month billing methodology be implemented. No solid waste company has ever implemented a mid-month billing process for rates approved by the UTC. The Company has demonstrated that it has the capability to prorate the rates for services provided the entire month of August to reflect the increase occurring mid-month. The company will bill customers who receive all service prior to the proposed effective date at the old rates. For customers who receive service prior to and after the proposed effective date, the company will apply half of the monthly increase to all services provided during the month. Staff has determined that the proposed billing methodology will have a small effect on a small number of customers, and concludes the proposed methodology is reasonable.
- 6 The Company requests an exemption from Washington Administrative Code (WAC) 480-70-266, Tariffs, to allow the revised rates to become effective on August 15, 2010, on less than statutory notice, and an exemption from WAC 480-70-271, Customer Notice, to allow the Company to notify customers affected by the increased revised rates in the next billing cycle.
- 7 RCW 81.28.050 and WAC 480-70-266 require forty-five days' notice to the Commission prior to the effective date of the tariff. The Company requests, however, less than statutory notice as permitted by WAC 480-70-276, so that the tariff revisions become effective on August 15, 2010. The Company must request less than statutory notice because the revised rates result in some increases compared to the rates the Company originally proposed.
- 8 WAC 480-70-271 requires solid waste companies to provide each affected customer a notice at least thirty days before the requested effective date of the proposed rate increase. For the same reason(s) listed in seeking less than statutory notice to the Commission, the Company seeks such an exemption from customer notice requirements. The Company originally notified customers of the proposed rates filed on June 1, 2010, and requests an exemption from the customer notice rule to allow the Company to notify customers by bill insert in the next billing cycle.
- 9 Staff has completed its audit and determined that the Company's financial information supports the revised rates for residential and commercial garbage collection, residential recycling, multi-family recycling, and residential yard waste services. Staff

recommended that the Commission allow the revised rates to become August 15, 2010, on a permanent basis, on less than statutory notice, and that the Commission grant the Company's request for an exemption from WAC 480-70-271, regarding notice to customers.

### FINDINGS AND CONCLUSIONS

- 10 (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.
- 11 (2) Rabanco LTD. d/b/a Lynnwood Disposal, Maltby Division is engaged in the business of providing solid waste services within the state of Washington and is a public service company subject to Commission jurisdiction.
- 12 (3) This matter came before the Commission at its regularly scheduled meeting on August 12, 2010.
- 13 (4) Rabanco LTD. d/b/a Lynnwood Disposal, Maltby Division is a business unit of Rabanco, LTD and collects solid waste under one of Rabanco LTD's five tariffs.
- 14 (5) Rabanco LTD. d/b/a Lynnwood Disposal, Maltby Division filed proposed tariff revisions on July 1, 2010, seeking to increase rates by approximately \$357,000 (4.2 percent). Staff's analysis showed a higher revenue requirement for residential and commercial garbage collection, and a lower revenue requirement for residential recycling, multi-family recycling, and residential yard waste than what the Company proposed. Staff and the Company agreed to a revised revenue requirement of \$390,000 (4.6 percent) in additional annual revenue and revised rates. On August 4, 2010, the Company filed revised rates at Staff recommended levels.
- 15 (6) The revised tariff revisions are fair, just, reasonable and sufficient because Rabanco LTD. d/b/a Lynnwood Disposal, Maltby Division has demonstrated that it

requires additional revenues and has filed revised rates at Staff's recommended levels.

- 16 (7) The Company requests an exemption from Washington Administrative Code (WAC) 480-70-266, Tariffs, to allow the revised rates to become effective on August 15, 2010, on less than statutory notice, and an exemption from WAC 480-70-271, Customer Notice, to allow the Company to notify customers affected by the increased revised rates in the next billing cycle.
- 17 (8) RCW 81.28.050 and WAC 480-70-266 require forty-five days' notice to the Commission prior to the effective date of the tariff. The Company requests, however, less than statutory notice as permitted by WAC 480-70-276, so that the tariff revisions become effective on August 15, 2010. The Company requests less than statutory notice because the revised rates result in some increases compared to the rates the Company originally proposed and sent notice to customers.
- 18 (9) Under WAC 480-70-271, solid waste companies must provide each affected customer a notice at least thirty days before the requested effective date of the proposed rate increase. For the same reason(s) listed in seeking less than statutory notice to the Commission, the Company seeks such an exemption from customer notice requirements. The Company originally notified customers of the proposed rates filed on June 1, 2010, and requests an exemption of the customer notice rule to allow the Company to notify customers by bill insert in the next billing cycle.
- 19 (10) After review of the tariff revisions filed in Docket TG-101080 by Rabanco LTD. d/b/a Lynnwood Disposal, Maltby Division on August 4, 2010, and giving due consideration, the Commission finds that the exemption is in the public interest and is consistent with the purposes underlying the regulation and applicable statutes and should be granted.

**ORDER**

**THE COMMISSION ORDERS:**

- 20 (1) The tariff revisions Rabanco LTD. d/b/a Lynnwood Disposal, Maltby Division  
filed in this docket on August 4, 2010, shall become effective on August 15, 2010,  
on a permanent basis.
- 21 (2) After the effective date of this Order, Rabanco LTD. d/b/a Lynnwood Disposal,  
Maltby Division is granted an exemption from WAC 480-70-266, to allow the  
revised rates to become effective August 15, 2010, on less than statutory notice.
- 22 (3) After the effective date of this Order, Rabanco LTD. d/b/a Lynnwood Disposal,  
Maltby Division is granted an exemption from WAC 480-70-271, concerning  
customer notice requirements and shall notify customers on the next billing.

DATED at Olympia, Washington, and effective August 12, 2010.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

PATRICK J. OSHIE, Commissioner

PHILIP B. JONES, Commissioner