

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION,	)	DOCKET TG-111991
	)	
Complainant	)	ORDER 02
	)	
v.	)	ORDER OF CONSOLIDATION AND
	)	NOTICE OF PREHEARING
RABANCO LTD., d/b/a EASTSIDE DISPOSAL, CONTAINER HAULING, RABANCO CONNECTIONS AND RABANCO COMPANIES,	)	CONFERENCE
	)	<b>(Set for March 5, 2012,</b>
	)	<b>at 1:30 p.m.)</b>
	)	
Respondent.	)	
.....	)	
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION,	)	DOCKET TG-111992
	)	
Complainant	)	ORDER 02
	)	
v.	)	ORDER OF CONSOLIDATION AND
	)	NOTICE OF PREHEARING
RABANCO LTD., d/b/a ALLIED WASTE SERVICES OF KENT, RABANCO COMPANIES AND SEA- TAC DISPOSAL,	)	CONFERENCE
	)	<b>(Set for March 5, 2012,</b>
	)	<b>at 1:30 p.m.)</b>
	)	
Respondent.	)	
.....	)	
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION,	)	DOCKET TG-111993
	)	
Complainant,	)	ORDER 02
	)	
v.	)	ORDER OF CONSOLIDATION AND
	)	NOTICE OF PREHEARING
RABANCO LTD., d/b/a LYNNWOOD DISPOSAL,	)	CONFERENCE
	)	<b>(Set for March 5, 2012,</b>
	)	<b>at 1:30 p.m.)</b>
	)	
Respondent.	)	
.....	)	

- 1 On November 16, 2011, in Docket TG-111991, Rabanco Ltd., d/b/a Eastside Disposal, Container Hauling, Rabanco Connections and Rabanco Companies (Rabanco) filed with the Washington Utilities and Transportation Commission (Commission) revisions to its currently effective Tariff No. 11.
- 2 On November 16, 2011, in Docket TG-111992, Rabanco Ltd., d/b/a Allied Waste Services of Kent, Rabanco Companies and Sea-Tac Disposal (Rabanco) filed with the Commission revisions to its currently effective Tariff No. 26.
- 3 On November 16, 2011, in Docket TG-111993, Rabanco Ltd., d/b/a Lynnwood Disposal (Rabanco) filed with the Commission revisions to its currently effective Tariff No. 4.
- 4 The filings, in the above-referenced dockets, propose to increase the amount Rabanco pays to single family and multi-family customers for the value of the recyclable materials that Rabanco collects in its residential recycling collection service.
- 5 Also, on November 16, 2011, in Dockets TG-111991, TG-111992, and TG-111993, Rabanco filed with the Commission a request to retain fifty percent of the revenue Rabanco receives from the sale of recyclable materials that it collects in its residential single and multi-family recycling collection service from January 1, 2012, to July 31, 2012.
- 6 On December 29, 2011, the Commission, by Order 01, suspended the operation of the tariff revisions in Dockets TG-111991, TG-111992, and TG-111993, pending hearing or hearings concerning all proposed changes, including whether the changes are fair, just, reasonable and sufficient. Further, Order 01 allows revenue sharing and recyclable commodity revenue adjustments on a temporary basis, subject to refund or credit.

### **ORDER OF CONSOLIDATION**

- 7 THE COMMISSION ORDERS that these matters are consolidated for purposes of hearing and determination. The Commission reserves the right to hold separate hearings and to enter separate orders in the individual dockets as it deems appropriate.

### NOTICE OF PREHEARING CONFERENCE

- 8 The Commission has jurisdiction over this matter under RCW Title 81, and has legal authority to regulate the rates, services, and practices of solid waste collection companies pursuant to RCW 81.77. The statutes that apply to this matter include RCW 81.04 and RCW 81.28 relating to rates, including but not limited to RCW 81.01.010 and RCW 81.04.020. The rules that apply to this matter include those within WAC 480-70, relating to solid waste collection companies.
- 9 The Commission will hear this matter under the Administrative Procedure Act (APA), particularly Part IV of RCW 34.05 relating to adjudications. The provisions of the APA that relate to this proceeding include, but are not limited to RCW 34.05.413, RCW 34.05.422, RCW 34.05.431, RCW 34.05.440, RCW 34.05.449, and RCW 34.05.452. The Commission will also follow its procedural rules in WAC 480-07 in this proceeding.
- 10 The Commission finds there is good cause to hear this matter on shortened notice. *See* WAC 480-07-440(1)(a).
- 11 **THE COMMISSION GIVES NOTICE That the Commission will hold a prehearing conference in this matter at 1:30 p.m., on Monday, March 5, 2012, in the Commission's Hearing Room, Second Floor, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.**
- 12 The purpose of the prehearing conference is to consider requests for intervention, resolve scheduling matters including establishing dates for distributing evidence and workpapers, to identify the issues in the proceeding and determine other matters to assist the Commission in resolving the matter, as listed in WAC 480-07-430. **Parties are encouraged to consult informally prior to the prehearing conference to develop a proposed schedule for the Commission's consideration.**
- 13 **INTERVENTION:** Persons who wish to intervene should file a petition to intervene in writing at least three business days before the date of the prehearing conference. *See* WAC 480-07-355(a). The Commission will consider oral petitions to intervene during the conference, but strongly prefers written petitions to intervene. Party representatives must file a notice of appearance with the Commission no later than the business day before the conference. *See* WAC 480-07-345(2). Any party or witness in need of an interpreter or other assistance should fill out the form attached to this notice and return it to the Commission. The Commission will set the time and place for any evidentiary hearings at the prehearing conference, on the record of a later conference or hearing session, or by later written notice.

14 **THE COMMISSION GIVES NOTICE that any party who fails to attend or participate in the prehearing conference set by this Notice, or any other stage of this proceeding, may be held in default under RCW 34.05.440 and WAC 480-07-450.**

15 The names and mailing addresses of all known parties and their known representatives are as follows:

Complainant: Washington Utilities and  
Transportation Commission  
1300 S. Evergreen Park Drive S.W.  
P.O. Box 47250  
Olympia, WA 98504-7250  
(360) 664-1160

Representative: Fronda Woods  
Assistant Attorney General  
1400 S. Evergreen Park Drive S.W.  
P.O. Box 40128  
Olympia, WA 98504-0128  
(360) 664-1225  
[fwoods@utc.wa.gov](mailto:fwoods@utc.wa.gov)

Respondents: Rabanco Ltd.  
d/b/a Eastside Disposal, Container Hauling,  
Rabanco Connections and Rabanco Companies  
Alex Brenner, Sr. Market Analyst  
1600 127<sup>th</sup> Avenue NE  
Bellevue, WA 98005  
(425) 646-2426  
[abrenner@republicservices.com](mailto:abrenner@republicservices.com)

Rabanco Ltd.  
d/b/a Allied Waste Services of Kent,  
Rabanco Companies and Sea-Tac Disposal  
Alex Brenner, Sr. Market Analyst  
1600 127<sup>th</sup> Avenue NE  
Bellevue, WA 98005  
(425) 646-2426  
[abrenner@republicservices.com](mailto:abrenner@republicservices.com)

Rabanco Ltd.  
d/b/a Lynnwood Disposal  
Alex Brenner, Sr. Market Analyst  
1600 127<sup>th</sup> Avenue NE  
Bellevue, WA 98005  
(425) 646-2426  
[abrenner@republicservices.com](mailto:abrenner@republicservices.com)

Representative:

David W. Wiley  
Attorney at Law  
Williams, Kastner & Gibbs PLLC  
Two Union Square  
601 Union Street, Suite 4100  
Seattle, WA 98101-2380  
(206) 233-2895  
[dwiley@williamskastner.com](mailto:dwiley@williamskastner.com)

- 16 Administrative Law Judge Gregory J. Kopta, from the Commission's Administrative Law Division, will preside during this proceeding.
- 17 The Commission will give parties notice of any other procedural phase of the proceeding in writing or on the record, as appropriate during this proceeding.

DATED at Olympia, Washington, and effective February 15, 2012.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER  
Executive Director and Secretary

Inquiries may be addressed to:

Executive Director and Secretary  
Washington State Utilities and  
Transportation Commission  
Richard Hemstad Building  
1300 S. Evergreen Park Drive S.W.  
P.O. Box 47250  
Olympia, WA 98504-7250

(360) 664-1160

**NOTICE**

Hearing facilities are accessible to persons with disabilities. Smoking is prohibited. If limited English-speaking, hearing-impaired parties or witnesses are involved in a hearing and need an interpreter, a qualified interpreter will be appointed at no cost to the party or witness.

If you need an interpreter, or have other special needs, please fill out this form and return it to Washington State Utilities and Transportation Commission, Attention: David W. Danner, 1300 S. Evergreen Park Drive SW, P. O. Box 47250, Olympia, WA 98504-7250. (PLEASE SUPPLY ALL REQUESTED INFORMATION)

Docket : \_\_\_\_\_

Case Name: \_\_\_\_\_

Hearing Date: \_\_\_\_\_ Hearing Location: \_\_\_\_\_

Primary  
Language: \_\_\_\_\_

Hearing Impaired (Yes) \_\_\_\_\_ (No) \_\_\_\_\_

Do you need a certified sign language interpreter:

Visual \_\_\_\_\_ Tactile \_\_\_\_\_

Other type of assistance needed: \_\_\_\_\_

English-speaking person who can be contacted if there are questions:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone No.: (\_\_\_\_) \_\_\_\_\_