

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

WASHINGTON UTILITIES AND	)	DOCKET TG-081071
TRANSPORTATION COMMISSION,	)	
	)	ORDER 01
Complainant,	)	
	)	
v.	)	
	)	
FIORITO ENTERPRISES, INC., &	)	
RABANCO COMPANIES D/B/A	)	
KENT MERIDIAN DISPOSAL CO.	)	
	)	COMPLAINT AND ORDER
Respondent.	)	SUSPENDING TARIFF REVISIONS
.....	)	

**BACKGROUND**

- 1     On June 16, 2008, Fiorito Enterprises, Inc., & Rabanco Companies d/b/a Kent Meridian Disposal Co. (Kent Meridian) filed with the Washington Utilities and Transportation Commission (Commission) revisions to its currently effective Tariff No. 11. The stated effective date is August 1, 2008.
- 2     In this filing, Kent Meridian proposes to increase rates for the collection of solid waste, curbside recycling, and yardwaste. Kent Meridian’s proposed rates were designed to increase revenues by \$1,487,000 (11.9 percent) annually. Because those increases might injuriously affect the rights and interest of the public and Kent Meridian has not demonstrated that the increases would result in rates that are fair, just, reasonable and sufficient, the Commission suspends the tariff filing and will hold public hearings, if necessary, to determine whether the proposed increases are fair, just, reasonable and sufficient.

**FINDINGS AND CONCLUSIONS**

- 3     (1)     The Washington Utilities and Transportation Commission is an agency of the State of Washington vested by statute with the authority to regulate rates, 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.*

- 4 (2) Kent Meridian is a solid waste company and a public service company subject to Commission jurisdiction.
- 5 (3) This matter came before the Commission at its regularly scheduled meeting on July 31, 2008.
- 6 (4) The tariff revisions Kent Meridian filed on June 16, 2008, would increase charges and rates for service Kent Meridian provides.
- 7 (5) Kent Meridian has not yet demonstrated that the provisions for the rates are fair, just, reasonable and sufficient.
- 8 (6) In addition, the Commission invokes the rights, remedies and procedures contained in the reparations statute, RCW 81.04.220, to the extent the Commission finds that any rate subject to this investigation is excessive or exorbitant.
- 9 (7) Kent Meridian may be required to pay the expenses reasonably attributable and allocable to such an investigation consistent with RCW 81.20.

**ORDER**

**THE COMMISSION ORDERS:**

- 10 (1) The tariff revisions Fiorito Enterprises, Inc., & Rabanco Companies d/b/a Kent Meridian Disposal Co. filed on June 16, 2008, are suspended.
- 11 (2) The Commission may hold hearings if needed at such times and places as required.
- 12 (3) Fiorito Enterprises, Inc., & Rabanco Companies d/b/a Kent Meridian Disposal Co. must not change or alter the tariff pages filed in this docket during the suspension period, unless the Commission authorizes the change in this docket.
- 13 (4) The Commission will institute an investigation of Fiorito Enterprises, Inc., & Rabanco Companies d/b/a Kent Meridian Disposal Co.'s books, accounts, practices, activities, property and operations as necessary and as described above.

- 14 (5) Fiorito Enterprises, Inc., & Rabanco Companies d/b/a Kent Meridian Disposal Co. shall pay the expenses reasonably attributable and allocable to the Commission's investigation, consistent with RCW 81.20.

DATED at Olympia, Washington, and effective July 31, 2008.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARK H. SIDRAN, Chairman

PATRICK J. OSHIE, Commissioner

PHILIP B. JONES, Commissioner