

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

WASHINGTON UTILITIES AND)	DOCKET TG-080671
TRANSPORTATION COMMISSION,)	
)	ORDER 02
Complainant,)	
)	
v.)	
)	
HAROLD LEMAY ENTERPRISES,)	
INC., D/B/A PACIFIC DISPOSAL)	ORDER DISMISSING
AND BUTLERS COVE REFUSE)	COMPLAINT AND ORDER
SERVICE, G-98)	SUSPENDING TARIFF
)	REVISIONS; ALLOWING TARIFF
Respondent.)	REVISIONS
.....)	

BACKGROUND

- 1 On April 17, 2008, Harold LeMay Enterprises, Inc., d/b/a Pacific Disposal and Butlers Cove Refuse Service (Pacific Disposal or Company) filed with the Washington Utilities and Transportation Commission (Commission) revisions to its currently effective Tariff No. 7.8. The tariff revisions proposed to increase solid waste rates.

- 2 Staff’s review of Pacific Disposal’s filing revealed the proposed rates were excessive. The proposed rates would have increased revenue by approximately \$400,000 (3.0 percent). On May 22, 2008, Pacific Disposal filed revised rates at the Staff recommended level. The revised rates generate approximately \$353,000 (2.7 percent).

- 3 On May 28, 2008, the Commission entered a Complaint and Order Suspending Tariff Revisions pending an investigation to determine whether the revisions are fair, just, reasonable and sufficient. The Commission allowed the revised rates filed on May 22, 2008, to become effective June 1, 2008, on a temporary basis, subject to refund.

- 4 On June 2, 2008, the Consumer Protection and Communication section sent every customer who had commented on Pacific Disposal’s filing a letter advising them of Staff’s recommended revised rates. No customers commented on the revised rates.

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) Pacific Disposal is a solid waste company and a public service company subject to Commission jurisdiction.
- 7 (3) This matter came before the Commission at its regularly scheduled meeting on June 26, 2008.
- 8 (4) The tariff revisions presently under suspension are fair, just, reasonable and sufficient because Pacific Disposal has demonstrated that it requires additional revenues and has filed revised rates at the Staff recommended level.
- 9 (5) After reviewing the tariff revisions Pacific Disposal filed in Docket TG-080671 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-080671, dated May 28, 2008, and allow the revised tariff revisions to Tariff No. 7.8 to become effective on July 1, 2008, on a permanent basis.

ORDER

THE COMMISSION ORDERS:

- 10 (1) The Complaint and Order Suspending Tariff Revisions in Docket TG-080671, entered on May 28, 2008, is dismissed.
- 11 (2) The tariff revisions Harold LeMay Enterprises, Inc., d/b/a Pacific Disposal and Butlers Cove Refuse Service filed in this docket on April 17, 2008, and the substitute pages filed on May 22, 2008, shall become effective on July 1, 2008, on a permanent basis.

DATED at Olympia, Washington, and effective June 26, 2008.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARK H. SIDRAN, Chairman

PATRICK J. OSHIE, Commissioner

PHILIP B. JONES, Commissioner