BEFORE THE WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND)	DOCKETS TG-080079 and TG-080082
TRANSPORTATION COMMISSION,)	
)	ORDER 01
Complainant,)	
)	
v.)	
)	
MURREY'S DISPOSAL COMPANY,)	COMPLAINT AND ORDER
INC., G-9 AND AMERICAN)	SUSPENDING TARIFFS; ALLOWING
DISPOSAL COMPANY, INC., G-87)	RATES ON A TEMPORARY BASIS,
Respondent.)	SUBJECT TO REFUND
-)	

BACKGROUND

- On January 14, 2008, Murrey's Disposal Company, Inc., and American Disposal Company, Inc. (Murrey's and American), filed with the Washington Utilities and Transportation Commission (Commission) revised pages to their Tariff No. 25. The stated effective date is March 1, 2008.
- In these filings, Murrey's and American propose to increase residential and multi-family recycling rates, increase yard waste rates and pass through increased disposal fees. Murrey's and American's proposed rates were designed to increase revenues by \$1,268,000 (4.8 percent) annually. Commission Staff's review revealed that the proposed rates were excessive. Staff and Murrey's and American negotiated revised rates that would increase annual revenues by approximately \$1,087,000 (4.11 percent). On February 19, 2008, Murrey's and American filed revised, lower rates on substitute tariff pages to reflect this reduced revenue level.
- Murrey's and American notified the recycling and yard waste customers of the proposed rate increase by mail on January 30, 2008. The Commission received comments from 30 customers concerning Murrey's and American's original January 14, 2008, filings. The majority of the comments concerned the percentage increase in the recycling and yard waste rates. The customers have not yet had the opportunity to comment on the proposed revised rates filed by Murrey's and American on February 19, 2008.
- 4 Customers deserve to know about, and comment on, the proposed revised rates. The Commission should consider all information, including any additional customer

comments on the revised rates, in deciding whether to conduct an evidentiary hearing on the revised rates. Murrey's and American, therefore, have not yet demonstrated the revised rates are fair, just, reasonable and sufficient.

The proposed revised rates might injuriously affect the rights and interests of the public. The Commission therefore suspends the tariff filings. The Commission accepts the proposed revised rates as temporary rates and allows those revised rates to become effective on March 1, 2008, on a temporary basis, subject to refund.

FINDINGS AND CONCLUSIONS

- 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.
- 7 (2) Murrey's and American are solid waste companies and public service companies subject to Commission jurisdiction.
- 8 (3) These matters came before the Commission at its regularly scheduled meeting on February 28, 2008.
- The tariff revisions Murrey's and American filed on January 14, 2008, and the substitute pages filed on February 19, 2008, increase residential and multi-family recycling rates, yard waste rates and pass through increased disposal fees to the garbage rates.
- Murrey's and American have not yet demonstrated that the proposed rates are fair, just, reasonable and sufficient. The Commission finds it reasonable to allow the revised rates filed on February 19, 2008, to become effective March 1, 2008, on a temporary basis, subject to refund.
- 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.

12 (7) Murrey's and American may be required to pay the expenses reasonably attributable and allocable to such an investigation consistent with RCW 81.20.

ORDER

THE COMMISSION ORDERS:

- 13 (1) The tariff revisions Murrey's Disposal Company, Inc., and American Disposal Company, Inc., filed on January 14, 2008, are suspended.
- The proposed revised tariffs Murrey's Disposal Company, Inc., and American Disposal Company, Inc., filed on February 19, 2008, shall become effective on March 1, 2008, on a temporary basis, subject to refund if the Commission determines that different rates will be fair, just, reasonable and sufficient.
- 15 (3) The Commission may hold hearings if needed at such times and places as required.
- 16 (4) Murrey's Disposal Company, Inc., and American Disposal Company, Inc., must not change or alter the tariff pages filed in these dockets during the suspension period, unless the Commission authorizes the change in these dockets.
- 17 (5) The Commission will institute an investigation of Murrey's Disposal Company, Inc.'s, and American Disposal Company, Inc.'s, books, accounts, practices, activities, property and operations as necessary and as described above.
- Murrey's Disposal Company, Inc., and American Disposal Company, Inc., shall pay the expenses reasonably attributable and allocable to the Commission's investigation, consistent with RCW 81.20.

DATED at Olympia, Washington, and effective February 28, 2008.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARK H. SIDRAN, Chairman

PATRICK J. OSHIE, Commissioner

PHILIP B. JONES, Commissioner