



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.

- 5 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

- 6 (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.*
- 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.
- 9 (4) 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.
- 10 (5) 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.
- 11 (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.

- 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.
- 14 (2) 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.
- 18 (6) 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**