

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

WASHINGTON UTILITIES AND	)	DOCKET TG-101080
TRANSPORTATION	)	
COMMISSION,	)	ORDER 02
	)	
Complainant,	)	
	)	
v.	)	
	)	
WASTE MANAGEMENT OF	)	
WASHINGTON, INC. d/b/a WASTE	)	
MANAGEMENT – SOUTH SOUND	)	
AND WASTE MANAGEMENT OF	)	ALLOW TARIFF REVISIONS, ON
SEATTLE , G-237	)	LESS THAN STATUTORY NOTICE;
	)	GRANTING EXEMPTIONS FROM
Respondent.	)	RULES
.....	)	

**BACKGROUND**

- 1 On June 16, 2010, Waste Management of Washington, Inc., (WMW or Company) filed with the Utilities and Transportation Commission (Commission) tariff revisions, designated as Tariff No. 22, for the operations it conducts under the registered trade names Waste Management – South Sound and Waste Management of Seattle (WM – South Sound/Seattle). The purpose of the filing is to increase rates due to an increase in fuel, labor, health care, insurance, and other general operating expenses. The stated effective date is August 1, 2010.
  
- 2 In this filing, WMW proposes to increase charges and rates for service it provides by \$1,742,953, or 16.2 percent. WMW provides regulated service to approximately 20,500 residential and commercial customers in King County. WM – South Sound/Seattle’s last general rate increase became effective on May 1, 2006.
  
- 3 Staff’s analysis showed a lower revenue requirement for residential and commercial garbage collection, and a higher revenue requirement for residential recycling, residential yard waste, and drop box services than what the Company proposed.
  
- 4 Staff and the Company agreed to a revised revenue requirement of \$1,483,008 (13.8 percent) in additional annual revenue and revised rates. On July 15, 2010, the Company filed revised rates at Staff recommended levels.

- 5 The Company requests an exemption from Washington Administrative Code (WAC) 480-70-266, Tariffs, to allow the revised rates to become effective on August 1, 2010, on less than statutory notice, and an exemption from WAC 480-70-271, Customer Notice, to allow the Company to notify customers affected by the increased revised rates in the next billing cycle.
- 6 RCW 81.28.050 and WAC 480-70-266 require forty-five days' notice to the Commission prior to the effective date of the tariff. The Company requests, however, less than statutory notice as permitted by WAC 480-70-276, so that the tariff revisions become effective on August 1, 2010. The Company must request less than statutory notice because the revised rates result in some increases compared to the rates the Company originally proposed.
- 7 WAC 480-70-271 requires solid waste companies to provide each affected customer a notice at least thirty days before the requested effective date of the proposed rate increase. For the same reason(s) listed in seeking less than statutory notice to the Commission, the Company seeks such an exemption from customer notice requirements. The Company originally notified customers of the proposed rates filed on July 1, 2010, and requests an exemption from the customer notice rule to allow the Company to notify customers by bill insert in the next billing cycle.
- 8 Staff has completed its audit and determined that the Company's financial information supports the revised rates for residential and commercial garbage collection, residential recycling, residential yard waste, and drop box services. Staff recommended that the Commission allow the revised rates to become August 1, 2010, on a permanent basis, on less than statutory notice, and that the Commission grant the Company's request for an exemption from WAC 480-70-271, regarding notice to customers.

### **FINDINGS AND CONCLUSIONS**

- 9 (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, 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.*

- 10 (2) Waste Management of Washington, Inc., is engaged in the business of providing solid waste services within the state of Washington and is a public service company subject to Commission jurisdiction.
- 11 (3) This matter came before the Commission at its regularly scheduled meeting on July 29, 2010.
- 12 (4) Waste Management of Washington, Inc., d/b/a Waste Management – South Sound and Waste Management of Washington, Inc., d/b/a Waste Management of Seattle are business units of Waste Management of Washington, Inc., and collect solid waste under one of Waste Management of Washington, Inc.’s ten tariffs.
- 13 (5) Waste Management of Washington, Inc., d/b/a Waste Management – South Sound and Waste Management of Washington, Inc., d/b/a Waste Management of Seattle filed proposed tariff revisions on June 16, 2010, seeking to increase Waste Management’s rates in its WM - South Sound/Seattle business units by \$1,742,953 or 16.2 percent
- 14 (6) The tariff revisions are fair, just, reasonable and sufficient because Waste Management of Washington, Inc., d/b/a Waste Management – South Sound and Waste Management of Washington, Inc., d/b/a Waste Management of Seattle have demonstrated that they require additional revenues and have filed revised rates at Staff’s recommended levels.
- 15 (7) Staff’s analysis showed a lower revenue requirement for residential and commercial garbage collection, and a higher revenue requirement for recycling collection, yard waste, and drop box services than what the Company proposed.
- 16 (8) Staff and the Company agreed to a revised revenue requirement of \$1,483,008 (13.8 percent) in additional annual revenue and revised rates. On July 15, 2010, the Company filed revised rates at Staff recommended levels.
- 17 (9) The Company requests an exemption from Washington Administrative Code (WAC) 480-70-266, Tariffs, to allow the revised rates to become effective on August 1, 2010, on less than statutory notice, and an exemption from WAC 480-

70-271, Customer Notice, to allow the Company to notify customers affected by the increased revised rates in the next billing cycle.

- 18 (10) RCW 81.28.050 and WAC 480-70-266 require forty-five days' notice to the Commission prior to the effective date of the tariff. The Company requests, however, less than statutory notice as permitted by WAC 480-70-276, so that the tariff revisions become effective on August 1, 2010. The Company requests less than statutory notice because the revised rates result in some increases compared to the rates the Company originally proposed and sent notice to customers.
- 19 (11) Under WAC 480-70-271, solid waste companies must provide each affected customer a notice at least thirty days before the requested effective date of the proposed rate increase. For the same reason(s) listed in seeking less than statutory notice to the Commission, the Company seeks such an exemption from customer notice requirements. The Company originally notified customers of the proposed rates filed on July 1, 2010, and requests an exemption of the customer notice rule to allow the Company to notify customers by bill insert in the next billing cycle.
- 20 (12) After review of the tariff revisions filed in Docket TG-101080 by Waste Management of Washington, Inc., on June 16, 2010, and giving due consideration, the Commission finds that the exemption is in the public interest and is consistent with the purposes underlying the regulation and applicable statutes and should be granted.

## **ORDER**

### **THE COMMISSION ORDERS:**

- 21 (1) The tariff revisions Waste Management of Washington, Inc., filed in this docket on July 15, 2010, shall become effective on August 1, 2010, on a permanent basis.
- 22 (2) After the effective date of this Order, Waste Management of Washington, Inc., is granted an exemption from WAC 480-70-266, to allow the revised rates to become effective August 1, 2010, on less than statutory notice.
- 23 (3) After the effective date of this Order, Waste Management of Washington, Inc., is granted an exemption from WAC 480-70-271, concerning customer notice

requirements. Waste Management of Washington, Inc., shall notify customers on the next billing.

DATED at Olympia, Washington, and effective July 29, 2010.

**WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

**JEFFREY D. GOLTZ, Chairman**

**PATRICK J. OSHIE, Commissioner**

**PHILIP B. JONES, Commissioner**