



STATE OF WASHINGTON

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

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Via Email and U.S. Mail

February 7, 2013

Heather Garland
501 SE Columbia Shores Blvd., #350
Vancouver, WA 98661

Subject: Mason County Garbage Co., Inc. dba: Mason County Garbage
General Rate Filing – Docket TG-121791
Staff Data Request 9

Dear Ms. Garland:

In order to fully investigate and analyze the proposed tariff revisions of Mason County Garbage Co., Inc. (MCG) in this docket, staff must determine whether there is a “contract or arrangement” between MCG and its affiliated interest, Tacoma Recycling Company, Inc. (TR). I am advised by counsel that the State Supreme Court has acknowledged the commission’s authority to seek and review documentation and other relevant information in order to independently make that determination. See *Waste Management v. WUTC*, 123 Wn.2d 621, 635, 869 P.2d 1034 (1994).

Therefore, to facilitate staff’s examination in Docket TG-121791, please provide responses to each of the following requests. If applicable, please provide the responses in electronic format compatible with Word (if narrative) or Excel (if numbers to show calculations and formulas). Also, please indicate on the hard copy and any electronic version provided, the date the data response was prepared and the individual who prepared the response.

1. Please provide copies of any documents, including but not limited to, any contract, survey, letter, report, memorandum, email, telephone log, note, invoice, or remittance, *by or between* MCG, TR or any other affiliated interest, related to the delivery of recyclable materials by MCG to the recycling processing facilities of TR. If no such documentation exists, please provide a full and detailed narrative describing the organizational and operational relationship between MCG and TR, with respect to the processing and sale of recyclable materials.
2. Please provide a full and detailed description of the process upon which the decision was made for MCG to deliver recyclable materials to the recycling processing facilities of TR, including, but not limited to:
 - a. The name, employer and title of each person that participated in the selection of a recycling processor by MCG, whether or not each such person is an employee, officer or owner of MCG.



- b. The name, employer and title of each person that made the final decision for MCG to use TR, whether or not each such person is an employee, officer or owner of MCG.
 - c. The name and location of each recycling processor that was considered other than TR, for use by MCG.
 - d. The criteria used to select a recycling processor, and, for each criterion, what factors specifically led to the decision to select TR over any other processor to process MCG's recycling materials.
3. Please describe the terms and conditions of the transactions between MCG and TR, including, but not limited to:
 - a. The duration of the relationship between MCG and TR for processing recyclables, from beginning to end.
 - b. How TR bills MCG for processing, along with a comparison of how TR bills other recycling haulers.
 - c. How TR pays MCG commodity revenue, along with a comparison of how TR pays other recycling haulers.
 - d. The processing billing periods, dates, amounts, and account(s) in which MCG records the payments to TR.
 - e. The commodity revenue payment periods, dates, amounts, and account(s) in which MCG records the revenue received from TR.
4. Please provide the name, employer and title of each person who currently directs MCG to take its recyclable materials to TR, whether or not each such person is an employee, officer or owner of MCG?
5. Prior to August 16, 2009, what recycling center(s) did MCG use to process recyclable materials?
6. Does MCG actively survey for competitive pricing for recycled material processing per ton? If so, please explain, in detail, the process and provide all related documents, including, but not limited to, any survey, letter, report, memorandum, email, telephone log, and note, related to this activity during the test period. If not, please explain why not.

Please respond to these data requests as soon as possible. It is staff's hope that this matter can be returned to the commission at the February 28, 2013 Open Public Meeting. In order to do so, staff must complete its analysis, with any agreed final revised tariff pages received by the commission no later than 5:00 p.m. Tuesday, February 19, 2013. In the alternative, due to the time constraints of the suspension period, it will be necessary for staff to consider recommending that the commission set the matter for hearing as an adjudicative proceeding under the Administrative Procedure Act.

If you have any questions, please contact Melissa Cheesman at mcheesma@utc.wa.gov or call (360) 664-1251.

Sincerely,



Melissa Cheesman, MPAC
Regulatory Analyst
mcheesma@utc.wa.gov