

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND)	DOCKET TG-130502
TRANSPORTATION COMMISSION,)	
)	
Complainant,)	
)	
v.)	NOTICE OF PREHEARING
)	CONFERENCE
AMERICAN DISPOSAL COMPANY,)	(Set for Monday, May 20, 2013, at
INC. (G-87),)	10:00 a.m.)
)	
Respondent.)	
.....)	

1 On April 8, 2013, American Disposal Company, Inc. (American or Company) filed with the Washington Utilities and Transportation Commission (Commission) an original Tariff No. 26 which would replace its currently effective Tariff No. 25. The stated effective date is June 1, 2013. American proposes a general rate increase to recover higher costs for labor, employee benefits, fuel, parts, and equipment. The Company’s filing would increase charges and rates for service it provides as follows:

- Residential garbage service by \$95,673 or 2.6 percent;
- Commercial service by \$33,068 or 2.46 percent;
- Multi-family garbage service by \$16,603 or 4.76 percent;
- Roll-off service by \$10,934 or 5.06 percent;
- Curbside recycling service by \$312,346 or 25.68 percent;
- Multi-family recycling service by \$14,310 or 20.12 percent;
- Recycling stations by \$5,067 or 25.68 percent, and;
- Yard waste service by \$88,563 or 15.85 percent.

The overall proposed increase in charges and rates for service the Company provides is approximately \$2,287,000 or 8.2 percent. The Commission suspended operation of the tariff on May 10, 2013, by Order 01 entered in this docket.

2 **STATUTORY AUTHORITY:** The Commission has jurisdiction over this matter under RCW Title 81, and has legal authority to regulate the rates, services, and practices of solid waste collection companies pursuant to RCW 81.77. The statutes that apply to this matter include RCW 81.04 and RCW 81.28 relating to rates, including but not limited to RCW 81.01.010 and RCW 81.04.020. The rules that apply to this matter include those within WAC 480-70, relating to solid waste collection companies.

3 The Commission will hear this matter under the Administrative Procedure Act (APA), particularly Part IV of RCW 34.05 relating to adjudications. The provisions of the APA that relate to this proceeding include, but are not limited to RCW 34.05.413, RCW 34.05.422, RCW 34.05.431, RCW 34.05.440, RCW 34.05.449, and RCW 34.05.452. The Commission will also follow its procedural rules in WAC 480-07 in this proceeding.

4 The Commission finds there is good cause to hear this matter on shortened notice. *See* WAC 480-07-440(1)(a).

5 **THE COMMISSION GIVES NOTICE That it will hold a prehearing conference in this matter at 10:00 a.m., on May 20, 2013, in the Commission's Hearing Room, Second Floor, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.** The prehearing conference is set at the same time as a prehearing conference in Docket TG-130501.¹

6 The purpose of the prehearing conference is to consider requests for intervention, resolve scheduling matters including establishing dates for distributing evidence and workpapers, to identify the issues in the proceeding and determine other matters to assist the Commission in resolving the matter, as listed in WAC 480-07-430. In addition, the Commission will consider whether to consolidate this proceeding with Docket TG-130501.

7 **INTERVENTION:** Persons who wish to intervene should file a petition to intervene in writing at least three business days before the date of the prehearing conference. *See* WAC 480-07-355(a). The Commission will consider oral petitions to intervene during the conference, but strongly prefers written petitions to intervene. Party

¹ *Washington Utilities and Transportation Commission v. Murrey's Disposal Company, Inc.*, Docket TG-130501.

representatives must file a notice of appearance with the Commission no later than the business day before the conference. *See* WAC 480-07-345(2). Any party or witness in need of an interpreter or other assistance should fill out the form attached to this notice and return it to the Commission. The Commission will set the time and place for any evidentiary hearings at the prehearing conference, on the record of a later conference or hearing session, or by later written notice.

8 **THE COMMISSION GIVES NOTICE that any party who fails to attend or participate in the prehearing conference set by this Notice, or any other stage of this proceeding, may be held in default under RCW 34.05.440 and WAC 480-07-450.**

9 The names and mailing addresses of all known parties and their known representatives are as follows:

Complainant: Washington Utilities and Transportation
Commission
1300 S. Evergreen Park Drive S.W.
P.O. Box 47250
Olympia, WA 98504-7250
(360) 664-1160

Representative: Steven W. Smith
Assistant Attorney General
1400 S. Evergreen Park Drive S.W.
P.O. Box 40128
Olympia, WA 98504-0128
(360) 664-1225
ssmith@utc.wa.gov

Respondent: American Disposal Company, Inc.
P.O. Box 399
Puyallup, WA 98371

Representative: David W. Wiley
Attorney at Law
Williams, Kastner & Gibbs PLLC
Two Union Square
601 Union Street, Suite 4100
Seattle, WA 98101
(206) 233-2895
dwiley@williamskastner.com

- 10 Administrative Law Judge Marguerite E. Friedlander, from the Commission's Administrative Law Division, will preside during this proceeding.
- 11 The Commission will give parties notice of any other procedural phase of the proceeding in writing or on the record, as appropriate during this proceeding.

DATED at Olympia, Washington, and effective May 13, 2013.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

STEVEN V. KING
Acting Executive Director and Secretary

Inquiries may be addressed to:

Executive Director and Secretary
Washington State Utilities and
Transportation Commission
Richard Hemstad Building
1300 S. Evergreen Park Drive S.W.
P.O. Box 47250
Olympia, WA 98504-7250
(360) 664-1160

NOTICE

Hearing facilities are accessible to persons with disabilities. Smoking is prohibited. If limited English-speaking, hearing-impaired parties or witnesses are involved in a hearing and need an interpreter, a qualified interpreter will be appointed at no cost to the party or witness.

If you need an interpreter, or have other special needs, please fill out this form and return it to Washington State Utilities and Transportation Commission, Attention: Steven V. King, 1300 S. Evergreen Park Drive SW, P. O. Box 47250, Olympia, WA 98504-7250. (PLEASE SUPPLY ALL REQUESTED INFORMATION)

Docket : _____

Case Name: _____

Hearing Date: _____ Hearing Location: _____

Primary
Language: _____

Hearing Impaired (Yes) _____ (No) _____

Do you need a certified sign language interpreter:

Visual _____ Tactile _____

Other type of assistance needed: _____

English-speaking person who can be contacted if there are questions:

Name: _____

Address: _____

Phone No.: (____) _____