

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

WASHINGTON UTILITIES AND	)	DOCKET NO. TG-050301
TRANSPORTATION	)	
COMMISSION,	)	ORDER NO. 02
	)	
Complainant,	)	
v.	)	
	)	ORDER DISMISSING
FIORITO ENTERPRISES, INC. &	)	COMPLAINT AND ORDER
RABANCO COMPANIES, G-60	)	SUSPENDING TARIFF
d/b/a Kent-Meridian Disposal	)	REVISIONS; GRANTING TARIFF
	)	REVISIONS; CONTINUING
Respondent.	)	REPORTING REQUIREMENTS
.....	)	

**BACKGROUND**

- 1     On February 25, 2005, Fiorito Enterprises, Inc., & Rabanco Companies, G-60, d/b/a Kent-Meridian Disposal (Kent-Meridian or Company) filed with the Commission revisions to its currently effective Tariff 27, proposing revisions to the residential and multi-family deferred recycle credits.
  
- 2     On March 31, 2005, the Commission entered a Complaint and Order Suspending Tariff Revisions but allowing temporary rates pending an investigation to determine whether the revisions were fair, just and reasonable. It also ordered Kent-Meridian to begin reporting the performance results of their 30% revenue sharing residential and multi-family recycling programs undertaken under the provisions of RCW 81.77.185.
  
- 3     In the interim, Kent-Meridian and King County negotiated a new Recycle Revenue Sharing Plan establishing new goals for the second year of the program. Among other things, it directs the company to invest \$106,000 for 2,000 new recycling totes and spend another \$20,000 on consumer recycling education and information. King County has certified that the Company is now in compliance

with the provisions of the new recycle plan, and recommended that Kent-Meridian be allowed to keep 30 percent of the revenue from the sale of commodities collected during the first year of the program. King County also recommends that the Company be allowed to keep 30 percent for the current second year of the program.

### FINDINGS AND CONCLUSIONS

- 4 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington vested by statute with the authority to regulate rates, rules, regulations, practices, accounts, securities, and transfers of public service companies, including solid waste companies. *RCW 80.01.040; Chapter 81.01 RCW; Chapter 81.04 RCW; Chapter 81.28 RCW and Chapter 81.77 RCW*
- 5 (2) Kent-Meridian is a solid waste company and is a public service company subject to the jurisdiction of the Commission.
- 6 (3) This matter was brought before the Commission at its regularly scheduled meeting on May 24, 2005.
- 7 (4) The tariff revisions(s) presently under suspension are fair, just and reasonable, and King County has certified that the Company is now in compliance with the provisions of its newly negotiated Recycle Commodity Revenue Sharing Plan and recommended that the Company should be allowed to continue keeping 30 percent of the value of the commodities sold.
- 8 (5) After review of the tariff revision(s) filed in Docket TG-050301 by Kent-Meridian Disposal, after giving due consideration, including the

recommendations of King County, the Commission finds it is consistent with the public interest that the Complaint and Order Suspending Tariff Revision(s) in Docket TG-050301, dated March 31, 2005, be dismissed and the temporary tariff revision(s) to residential curbside and multi-family deferred recycle credits that include keeping 30 percent of commodity sale revenue in Tariff 27 become permanently effective on June 1, 2005. Further, that the recycle reporting requirements contained in Paragraphs 8 through 14 of Order No. 1 be continued.

### **ORDER**

#### THE COMMISSION ORDERS:

- 9 (1) The Complaint and Order Suspending Tariff Revision(s) in Docket TG-050301, dated March 31, 2005, is dismissed.
- 10 (2) The deferred residential and multi-family recycle credits that include keeping 30 percent of commodity sale revenue filed in this docket on February 25, 2005, shall become permanently effective on June 1, 2005
- 11 (3) The recycle reporting requirements contained in paragraphs 8 through 14 of Order No. 01 be continued.

The Commissioners, having determined this Order to be consistent with the public interest, directed the Secretary to enter this Order.

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DATED at Olympia, Washington, and effective this 24<sup>th</sup> day of May, 2005.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary