

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND) DOCKET TG-111991
TRANSPORTATION COMMISSION,) (*consolidated*)
)
Complainant) ORDER 03
)
v.)
) PREHEARING CONFERENCE
RABANCO LTD., d/b/a EASTSIDE) ORDER
DISPOSAL, CONTAINER HAULING,)
RABANCO CONNECTIONS AND)
RABANCO COMPANIES,)
)
Respondent.)
.....)
WASHINGTON UTILITIES AND) DOCKET TG-111992
TRANSPORTATION COMMISSION,) (*consolidated*)
)
Complainant) ORDER 03
)
v.)
) PREHEARING CONFERENCE
RABANCO LTD., d/b/a ALLIED) ORDER
WASTE SERVICES OF KENT,)
RABANCO COMPANIES AND SEA-)
TAC DISPOSAL,)
)
Respondent.)
.....)
WASHINGTON UTILITIES AND) DOCKET TG-111993
TRANSPORTATION COMMISSION,) (*consolidated*)
)
Complainant,) ORDER 03
)
v.)
) PREHEARING CONFERENCE
RABANCO LTD., d/b/a LYNNWOOD) ORDER
DISPOSAL,)
)
Respondent.)
.....)

1 **NATURE OF PROCEEDINGS.** Dockets TG-111991, TG-111992 and TG-111993
involve filings by Rabanco Ltd., d/b/a Eastside Disposal, Container Hauling, Rabanco
Connections and Rabanco Companies, Rabanco Ltd., d/b/a Allied Waste Services of
Kent, Rabanco Companies and Sea-Tac Disposal, and Rabanco Ltd., d/b/a Lynnwood
Disposal (collectively Rabanco). Each company proposes to increase the amount it
pays to single family and multi-family customers for the value of the recyclable
materials that Rabanco collects in its residential recycling collection service. Each
company also seeks Commission approval of its recycling revenue sharing plan under
RCW 81.77.185.

2 **CONFERENCE.** The Washington Utilities and Transportation Commission
(Commission) convened a prehearing conference in this docket at Olympia,
Washington on March 5, 2012, before Administrative Law Judge Gregory J. Kopta.

3 **APPEARANCES.** Fronda Woods, Assistant Attorney General, Olympia,
Washington, represents the Commission's regulatory staff (Commission Staff or
Staff).¹ David W. Wiley, Williams, Kastner & Gibbs, PLLC, Seattle, Washington,
represents Rabanco, Ltd. Contact information provided at the conference for the
parties' representatives is attached as Appendix A to this order.

4 **PETITIONS FOR INTERVENTION.** No interested person appeared at the
conference seeking to intervene.

5 **CONSOLIDATION.** The Commission previously entered an order consolidating
these three dockets on February 15, 2012.

6 **DISCOVERY.** It does not appear that discovery will be required in this proceeding.
If parties see a need for discovery, any party may move that the Commission make
the Commission's discovery rules available.

7 **PROCEDURAL SCHEDULE.** The parties agreed on the following procedural
schedule during the conference: Each party will file a motion for summary

¹ In formal proceedings, such as this, the Commission's regulatory staff participates like any other party, while the Commissioners make the decision. To assure fairness, the Commissioners, the presiding administrative law judge, and the Commissioners' policy and accounting advisors do not discuss the merits of this proceeding with the regulatory staff, or any other party, without giving notice and opportunity for all parties to participate. See RCW 34.05.455.

determination by July 13, 2012, and responses will be due by August 2, 2012. The Commission adopts this procedural schedule, which is attached to this Order as Appendix B.

- 8 **WAIVER OF INITIAL ORDER.** The parties agreed to waive an initial order in this case and have the Commission issue a final order directly after the briefing is concluded. Each of the parties will submit a letter confirming this waiver.
- 9 **DOCUMENT PREPARATION AND FILING REQUIREMENTS.** Parties must file an original plus **five** (5) copies of all pleadings, motions, briefs, and other prefiled materials. These materials must conform to the format and publication guidelines in WAC 480-07-395 and WAC 480-07-460. The Commission prefers that materials be three-hole punched with *oversized* holes to allow easy handling. The Commission may require a party to refile any document that fails to conform to these standards.
- 10 All filings must be mailed or delivered to the Executive Director and Secretary, Washington Utilities and Transportation Commission, P.O. Box 47250, 1300 S. Evergreen Park Drive, S.W. Olympia, Washington 98504-7250. Both the post office box and street address are required to expedite deliveries by the U.S. Postal Service.
- 11 An electronic copy of all filings must be provided through the Commission's Web Portal (www.utc.wa.gov/e-filing) or by e-mail delivery to records@utc.wa.gov. Alternatively, parties may furnish an electronic copy by delivering with each filing a 3.5-inch IBM-formatted high-density diskette or CD including the filed document(s). Parties must furnish electronic copies in MS Word 6.0 (or later) supplemented by a separate file in .pdf (Adobe Acrobat) format. Parties must follow WAC 480-07-140(5) in organizing and identifying electronic files.
- 12 **ELECTRONIC SUBMISSION OF DOCUMENTS.** Parties may submit documents electronically to the Commission on the filing deadline to expedite the filing process, but must file an original, plus **five** (5) paper copies, of the documents with the Commission by 12:00 noon on the first business day following the filing deadline established in the procedural schedule. WAC 480-07-145(6). Parties may submit documents electronically through the Commission's Web Portal (www.utc.wa.gov/efiling) or by e-mail to records@utc.wa.gov. Finally, to perfect filing, parties must simultaneously provide e-mail courtesy copies of filings to the presiding administrative law judge (gkopta@utc.wa.gov) as well as to the parties to the proceeding.

- 13 **ALTERNATE DISPUTE RESOLUTION.** The Commission supports the informal settlement of matters before it. Parties are encouraged to consider means of resolving disputes informally. The Commission does have limited ability to provide dispute resolution services; if you wish to explore those services, please call the Director, Administrative Law Division, at 360-664-1355.
- 14 **NOTICE TO PARTIES: A party who objects to any portion of this Order must file a written objection within ten (10) calendar days after the service date of this Order, pursuant to WAC 480-07-430 and WAC 480-07-810. The service date appears on the first page of the order in the upper right-hand corner. Absent such objection, this Order will control further proceedings in this matter, subject to Commission review.**

Dated at Olympia, Washington, and effective March 6, 2012.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

GREGORY J. KOPTA
Administrative Law Judge

APPENDIX A

**PARTIES' REPRESENTATIVES
DOCKETS TG-111991, et al.**

PARTY	REPRESENTATIVE	PHONE	FACSIMILE	E-MAIL
Commission Staff	Frona Woods Assistant Attorney General 1400 S. Evergreen Park Drive S.W. P.O. Box 40128 Olympia, WA 98504-0128	360-664-1225	360-586-5522	fwoods@utc.wa.gov
Rabanco, Ltd.	Alex Brenner 1600 127 th Avenue NE Bellevue, WA 98005	425-646-2426		abrenner@republicservices.com
	David W. Wiley Williams, Kastner & Gibbs PLLC Two Union Square 601 Union Street, Suite 4100 Seattle, WA 98101-2380	206-233-2895	206-628-6611	dwiley@williamskastner.com

APPENDIX B
PROCEDURAL SCHEDULE
DOCKETS TG-111991, et al.

EVENT	DATE
Motions for Summary Determination	July 13, 2012
Responses to Motions	August 2, 2012