

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

In the Matter of the Petition of	)	DOCKET TG-090737
	)	
FIORITO ENTERPRISES, INC. &	)	ORDER 02
RABANCO COMPANIES, D/B/A	)	
KENT-MERIDIAN DISPOSAL	)	
COMPANY, G-60,	)	
	)	
Petitioner,	)	
	)	
Seeking An Extension of the Current	)	ORDER GRANTING EXTENSION
Approved Recyclable Commodity	)	OF CURRENT COMMODITY
Revenue Adjustments And Revenue	)	CREDIT AND THIRTY PERCENT
Sharing Plan	)	REVENUE SHARING PLAN
.....	)	

**BACKGROUND**

- 1     On June 25, 2009, the Washington Utilities and Transportation Commission (Commission) issued Order 01 in Docket TG-090737 that, in part, requires Fiorito Enterprises, Inc. & Rabanco Companies, dba Kent-Meridian Disposal Company (Kent-Meridian or Company) to make its next commodity adjustment effective July 1, 2010, and authorized the Company to retain thirty percent of the revenue it receives from the sale of recyclable materials collected in its residential and multi-family recycling programs from July 1, 2009, to June 30, 2010.
- 2     In the meantime, the legislature increased the maximum allowed revenue sharing from thirty percent to fifty percent. *See* Laws of 2010, c. 154, § 3.
- 3     On June 1, 2010, and June 18, 2010, Kent-Meridian filed letters with the Commission seeking to extend through July 31, 2010, or a later date if necessary, its existing recyclable commodity revenue adjustments and thirty percent revenue sharing plan approved on June 25, 2009, by Commission Order 01 issued in Docket TG-090737 until the Company can prepare the new revenue sharing plan at the fifty percent level and obtain the county’s certification. The Company and the County are working toward completing their new fifty percent revenue sharing plan in time for an August 1, 2010, effective date.

- 4 On May 28, 2010, and June 15, 2010, King County submitted letters to the Commission in support of the Company's request to extend through July 31, 2010, the current recyclable commodity revenue adjustments and the current thirty percent revenue sharing plan.
- 5 The Company, King County and Commission Staff agree that it would be reasonable to extend the existing recyclable commodity revenue adjustments and thirty percent revenue sharing plan through July 31, 2010.
- 6 Staff recommends the Commission approve Kent-Meridian's request to extend the existing recyclable commodity revenue adjustments and the existing thirty percent revenue sharing plan through July 31, 2010.

#### FINDINGS AND CONCLUSIONS

- 7 (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, rules, 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.*
- 8 (2) This matter came before the Commission at its regularly scheduled meeting on June 24, 2010.
- 9 (3) Kent-Meridian 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.
- 10 (4) Kent-Meridian is subject to the Commission's Order 01, issued in Docket TG-090737 that, in part, requires the Company to file annual recyclable commodity adjustments and allows the Company to retain thirty percent of the revenue it receives from the sale of recyclable materials collected in its residential and multi-family recycling programs from July 1, 2009, to June 30, 2010.
- 11 (5) After reviewing Kent-Meridian's request to extend the existing recyclable commodity revenue adjustments and the existing thirty percent revenue sharing

plan through July 31, 2010, and giving due consideration, the Commission finds that Kent-Meridian's request is reasonable and should be granted.

**ORDER**

**THE COMMISSION ORDERS:**

- 12 (1) The Commission grants Fiorito Enterprises, Inc. & Rabanco Companies, dba Kent-Meridian Disposal Company's request to extend the current recyclable commodity revenue adjustments and thirty percent revenue sharing through July 31, 2010.
- 13 (2) Fiorito Enterprises, Inc. & Rabanco Companies, dba Kent-Meridian Disposal Company shall make its next commodity adjustment and revenue sharing plan effective on or before August 1, 2010, and then every 12 months thereafter. All other provisions contained in Order 01, issued in Docket TG-090737, remain in effect until the next recyclable commodity revenue adjustment becomes effective.
- 14 (3) The Commission delegates to the Secretary the authority to approve by letter all compliance filings required by this Order.
- 15 (4) The Commission retains jurisdiction over the subject matter and Fiorito Enterprises, Inc. & Rabanco Companies, dba Kent-Meridian Disposal Company to effectuate the provisions of this Order.

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

DATED at Olympia, Washington, and effective June 24, 2010.

**WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

**DAVID W. DANNER, Executive Director and Secretary**