

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

| | | |
|--|---|--|
| WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION, |) | DOCKET TG-081071 |
| |) | |
| Complainant, |) | ORDER 03 |
| |) | |
| v. |) | |
| |) | |
| FIORITO ENTERPRISES, INC., & RABANCO COMPANIES D/B/A KENT MERIDIAN DISPOSAL CO., G-60 |) | ORDER DISMISSING COMPLAINT AND ORDER SUSPENDING TARIFF |
| , |) | REVISIONS; ALLOWING TARIFF REVISIONS |
| Respondent. |) | |
| |) | |

BACKGROUND

- 1 On June 16, 2008, Fiorito Enterprises, Inc., & Rabanco Companies d/b/a Kent Meridian Disposal Co., (Kent Meridian or Company) filed with the Washington Utilities and Transportation Commission (Commission) revisions to its currently effective Tariff No. 27. The stated effective date is August 1, 2008.
- 2 On July 31, 2008, the Commission entered a Complaint and Order Suspending Tariff Revisions pending an investigation to determine whether the revisions are fair, just, reasonable and sufficient.
- 3 In this filing, Kent Meridian proposes to increase rates for the collection of solid waste, curbside recycling, and yardwaste. Kent Meridian’s proposed rates were designed to increase revenues by \$2,960,000 (22.6 percent) annually. Commission Staff’s review revealed that the proposed rates were excessive. Staff and Kent Meridian negotiated revised rates that would increase annual revenues by approximately \$1,159,000 (9.6 percent). On September 17, 2008, Kent Meridian filed revised, lower rates on substitute tariff pages to reflect this lower revenue level.
- 4 Twenty-three customers commented on the original filing. Staff summarized those comments and responded to them in its July 31, 2008, memorandum.

5 At the open meeting on September 25, 2008, the Commission allowed the revised rates to become effective October 1, 2008, on a temporary basis, subject to refund, and continued the suspension of this filing to allow customers the opportunity to comment on Staff recommended revised rates.

6 Commission Staff sent all customers who previously commented on the Company's filing a letter advising them of the Staff's recommended revised rates. No customers have commented on the revised rates and rate design.

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) Kent Meridian is a solid waste company and a public service company subject to Commission jurisdiction.

9 (3) This matter came before the Commission at its regularly scheduled meeting on October 30, 2008.

10 (4) The tariff revisions presently under suspension are fair, just, reasonable and sufficient because Kent Meridian has demonstrated that it requires additional revenues and has filed revised rates at Staff's recommended levels.

11 (5) After reviewing the tariff revisions Kent Meridian filed in Docket TG-081071 and giving due consideration, the Commission finds it is consistent with the public interest to dismiss the Complaint and Order Suspending Tariff Revisions in Docket TG-081071, dated July 31, 2008, and allow the tariff revisions to Tariff No. 27 to become effective on November 1, 2008, on a permanent basis.

ORDER

THE COMMISSION ORDERS:

- 12 (1) The Complaint and Order Suspending Tariff Revisions in Docket TG-081071, entered on July 31, 2008, is dismissed.
- 13 (2) The tariff revisions Fiorito Enterprises, Inc., & Rabanco Companies d/b/a Kent Meridian Disposal Co., filed in this docket on September 17, 2008, shall become effective on November 1, 2008, on a permanent basis.

DATED at Olympia, Washington, and effective October 30, 2008.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

PATRICK J. OSHIE, Commissioner

PHILIP B. JONES, Commissioner