

November 28, 2007

Al Cairns
Jefferson County Dept. of Public Works
Solid Waste Coordinator
623 Sheridan St.
Port Townsend, WA 98368

RE: Jefferson County Comprehensive Solid Waste Management Plan TG-072121

Dear Mr. Cairns:

The Washington Utilities and Transportation Commission (commission) has completed its review of the preliminary draft of the Jefferson County Comprehensive Solid Waste Management Plan Update (Plan).

The Plan does not forecast any tip fee increases. Commission staff's analysis of the Cost Assessment portion of the Plan shows no rate impact for customers served by regulated solid waste collection companies for the duration of the plan (2008-2013).

Please see the attached for staff comments. Please direct questions or comments to Penny Ingram at (360) 664-1242 or by email at pingram@wutc.wa.gov.

Sincerely,

Carole J. Washburn
Executive Secretary

cc: Tami Ramsey, Department of Ecology, Regional Planner

Attachment

Commission staff comments for consideration:

- Executive summary page E-7; and section 6.2.4 the Plan states, “The implementation of incentive rates will require that the county first adopt a service level ordinance addressing this rate structure.”
 - Commission staff understands that a minimum level service ordinance allows counties to establish “minimum” levels of services, (e.g., mini can, one-can, etc.) but, it does not allow a county to set rates or require a specific rate structure. The commission regulates the rates of regulated companies.
 - **“RCW 81.77.030** Supervision and regulation by the commission.
 - The commission shall supervise and regulate every solid waste collection company in this state,
 - (1) By fixing and altering its rates, charges, classifications, rules and regulations.”
 - (5) By requiring compliance with local solid waste management plans and related implementation ordinances
 - **“RCW 70.95.092** County and city comprehensive solid waste management plans — Levels of service, reduction and recycling.
 - Levels of service shall be defined in the waste reduction and recycling element of each local comprehensive solid waste management plan and shall include the services set forth in [RCW 70.95.090](#). In determining which service level is provided to residential and nonresidential waste generators in each community, counties and cities shall develop clear criteria for designating areas as urban or rural. In designating urban areas, local governments shall consider the planning guidelines adopted by the department, total population, population density, and any applicable land use or utility service plans.”
- 6.2.3 Collection Rates: “embedding” the cost of recycling and yard waste collection in the base fee for garbage.”
 - The commission prohibits embedding the cost of recycling and yard waste collection with garbage rates (WAC 480-70-369(3)(b)(ii)). By combining all the rates, customers cannot compare the cost of difference service levels. The commission in a complaint case stated: *“Since customers only see one line, they do not realize it is the garbage portion which is most often increasing, while their efforts to recycling have been rewarded by not increasing in cost. Time is of the essence for consumers. If anything is going to create a disincentive to recycling, it is a continued lack of information about what people are paying for, and*

the comparable worth of limited services and unlimited service. Informed consumers can be expected to make the best choices.”¹

- **WAC 480-70-396 Billing**
 - “(3) Bills issued to customers must clearly show the company's name and applicable registered trade name, business address, and toll-free telephone number where a customer may contact the company. Bills must also show:
 - (ii) *All rates or charges billed to the customer, shown as separate line items on the bill (for example: Service and size of container; yardwaste service and size of container; recycling service and recycling commodity adjustment);*

¹ The commission recognized this point in *re King County Department of Public Works, Solid Waste Division, v. Seattle Disposal company, Rabanco LTC., d/b/a Eastside Disposal and Container Hauling, Third Supplemental Order Dismissing Complaint on Condition, TG-940411, page 22.*