

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND	)	DOCKETS TG-120840, TG-120842
TRANSPORTATION COMMISSION,	)	and TG-120843
)	
Complainant,)	
)	
v.)	
	)	ORDER 02
WASTE MANAGEMENT OF)	
WASHINGTON, INC. D/B/A WASTE)	
MANAGEMENT OF THE NORTHWEST,)	
WASTE MANAGEMENT OF SEATTLE)	
AND SOUTH SOUND, AND WASTE	)	PREHEARING CONFERENCE
MANAGEMENT OF	)	ORDER
SNO-KING, G-237,)	
)	
Respondent.)	
.....)	
)	
WASHINGTON UTILITIES AND	)	DOCKETS TG-121366, TG-121367,
TRANSPORTATION COMMISSION,	)	TG-121369, TG-121370 and TG-
	)	121371
Complainant,)	
)	
v.)	
)	
RABANCO LTD, D/B/A CONTAINER)	
HAULING, EASTSIDE DISPOSAL,)	
RABANCO COMPANIES, RABANCO	)	ORDER 02
CONNECTIONS, LYNNWOOD)	
DISPOSAL, ALLIED WASTE SERVICES)	
OF LYNNWOOD, ALLIED WASTE)	
SERVICES OF KLICKITAT COUNTY,)	
TRI-COUNTY DISPOSAL, ALLIED)	
WASTE SERVICES OF KENT &)	
RABANCO COMPANIES, AND SEATAC	)	PREHEARING CONFERENCE
DISPOSAL (G-12), AND FIORITO	)	ORDER
ENTERPRISES, INC. & RABANCO)	
COMPANIES D/B/A KENT MERIDIAN)	
DISPOSAL COMPANY (G-60).)	
)	
Respondent.)	
.....)	

- 1 **NATURE OF PROCEEDING.** On June 16, 2012, Waste Management of Washington, Inc., d/b/a Waste Management of the Northwest, Waste Management of Seattle and South Sound, and Waste Management of Sno-King (Waste Management), G-237, filed with the Washington Utilities and Transportation Commission (Commission) tariff revisions that proposed to add language to Item 30 in its three tariffs regarding missed pickups due to work stoppage. On August 30, 2012, the Commission entered Order 01 – Complaint and Order Suspending Tariff Revisions suspending the tariff filings. Waste Management’s proposed tariffs went into effect by operation of law on July 1, 2013.
- 2 On August 17, 2012, Rabanco LTD and Fiorito Enterprises, Inc. (Rabanco) filed tariff revisions with the Commission. The proposed filings add language regarding missed pickups due to work stoppage, to Item 30 - Limitations of Service, in its five separate tariffs. The proposed language is slightly different than that filed by Waste Management. On September 27, 2012, the Commission entered Order 01 - Complaint and Order Suspending Tariff Revisions in Dockets TG-121366, TG-121367, TG-121369, TG-121370, and TG-121371. The suspension period for Rabanco’s tariffs ends on July 31, 2013.
- 3 **CONFERENCE.** The Commission convened a second prehearing conference in this docket at Olympia, Washington, on July 18, 2013, before Administrative Law Judge Marguerite E. Friedlander.
- 4 **APPEARANCES.** Polly L. McNeill, Summit Law Group PLLC, Seattle, Washington, represents Waste Management. Michael A. Fassio, Assistant Attorney General, Olympia, Washington, represents the Commission’s regulatory staff (Staff). Contact information provided at the conferences for the parties’ representatives is attached as Appendix A to this order.
- 5 **PETITIONS FOR INTERVENTION.** Washington Refuse and Recycling Association (WRRRA) filed a petition to intervene (Petition). The parties did not oppose WRRRA’s request, and the Commission grants the Petition.

- 6 **ADMINISTRATIVE MATTERS.** At the hearing, Rabanco asked that the Commission take official notice of the record in Docket TG-010374. None of the parties opposed the company's request, and it was granted. Further, all parties have agreed to waive the initial order pursuant to WAC 480-07-820(1)(b)(iv).
- 7 **PROCEDURAL SCHEDULE.** The parties agreed on a procedural schedule during the conference. The Commission adopts this procedural schedule, which is attached to this Order as Appendix B.
- 8 **DOCUMENT PREPARATION AND FILING REQUIREMENTS.** Parties must file an original plus **six (6) 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.
- 9 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.
- 10 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>](mailto: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, a flash drive, 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.
- 11 **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 **six (6)** 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, at mfriedla@utc.wa.gov, as well as to the parties to the proceeding.

- 12 **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.
- 13 **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 July 22, 2013.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARGUERITE E. FRIEDLANDER
Administrative Law Judge

APPENDIX A

**PARTIES' REPRESENTATIVES
DOCKETS TG-120840, TG-120842, and TG-120843**

PARTY	REPRESENTATIVE	PHONE	E-MAIL
Waste Management	Polly L. McNeill Summit Law Group 315 Fifth Avenue South Suite 1000 Seattle, WA 98104-2682	206-676-7040	pollym@summitlaw.com
	Andrew Kenefick Waste Management 720 4 th Avenue Suite 400 Kirkland, WA 98033-8136	425-825-2003	akenefick@wm.com
WRRRA	James K. Sells Attorney at Law PMB 22 3110 Judson Street Gig Harbor, WA 98335	360-981-0168	jamesells@comcast.net
	Brad Lovaas Executive Director WRRRA 4160 6 th Avenue SE, Ste. 205 Lacey, WA 98503		brad@wrra.org
Staff	Michael A. Fassio Assistant Attorney General Office of the Attorney General Utilities and Transportation Division 1400 S. Evergreen Park Drive S.W. P.O. Box 40128 Olympia, WA 98504-0128	360-664-1192	mfassio@utc.wa.gov

PARTIES' REPRESENTATIVES			
DOCKETS TG-121366, TG-121367, TG-121369, TG-121370, and TG-121371			
PARTY	REPRESENTATIVE	PHONE	E-MAIL
Rabanco	David W. Wiley Williams, Kastner & Gibbs PLLC 601 Union Street, Ste. 4100 Seattle, WA 98101	206-233-2895	dwiley@williamskastner.com
	Rabanco LTD 1600 127 th Avenue NE Bellevue, WA 98004		
WRAA	James K. Sells Attorney at Law PMB 22 3110 Judson Street Gig Harbor, WA 98335	360-981-0168	jamesells@comcast.net
	Brad Lovaas Executive Director WRAA 4160 6 th Avenue SE, Ste. 205 Lacey, WA 98503		brad@wraa.org
Staff	Michael A. Fassio Assistant Attorney General Office of the Attorney General Utilities and Transportation Division 1400 S. Evergreen Park Drive S.W. P.O. Box 40128 Olympia, WA 98504-0128	360-664-1192	mfassio@utc.wa.gov

**APPENDIX B
PROCEDURAL SCHEDULE
DOCKETS TG-120840, TG-120842, and TG-120843
DOCKETS TG-121366, TG-121367, TG-121369, TG-121370, and TG-121371**

EVENT	DATE
Simultaneous Statement of Proposed Item 30 Tariff Language and Briefs	August 16, 2013
Simultaneous Responsive Briefs	August 30, 2013