

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

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|------------------------------|---|------------------------------------|
| WASHINGTON UTILITIES AND |) | DOCKET TG-143889 |
| TRANSPORTATION COMMISSION, |) | |
| |) | |
| Complainant, |) | |
| |) | |
| v. |) | NOTICE OF PREHEARING |
| |) | CONFERENCE |
| WASTE MANAGEMENT OF |) | (Set for March 16, 2015, at |
| WASHINGTON, INC. d/b/a WASTE |) | 9:30 a.m.) |
| MANAGEMENT OF SPOKANE, |) | |
| |) | |
| Respondent. |) | |
| |) | |
| |) | |

- 1 On November 14, 2014, Waste Management of Washington, Inc., d/b/a Waste Management of Spokane (WM Spokane or Company) filed with the Washington Utilities and Transportation Commission (Commission) tariff revisions reflecting a general rate increase that would generate approximately \$1,160,000 (10 percent) in additional annual revenue. The stated effective date is January 1, 2015. WM Spokane proposes a general rate increase due to an increase in labor, other operating and administrative costs, and a reduced regulated customer base. The Company filed revised tariff pages on December 19, 2014, and February 17, 2015.

- 2 The Commission suspended operation of the tariffs by Order 01 on December 30, 2014, and directed the Company to file replacement pages for disposal rates only, to become effective January 1, 2015.

- 3 Prior to the December 30, 2014, open meeting, the City of Millwood and Spokane County (the County) filed notices of appearance. The Commission tasked Staff with further review of the allocation factors used in this case, including compressed natural gas vehicles and facilities, their related depreciable lives, and depreciation schedules. Staff was also instructed to include the city and the County in further discussion to the extent they were willing and able to participate and resolve this matter without a hearing.

- 4 On January 16, 2015, Spokane County filed with the Commission a petition to intervene. On January 20, 2015, the City of Millwood filed a Notice of Withdrawal.
- 5 On February 26, 2015, the Commission heard this matter at its regularly scheduled open meeting. The Commission entered Order 02, allowing the rates filed on November 14, 2014, and revised on February 17, 2015, to become effective on March 1, 2015, on a temporary basis, subject to refund (Order 02). Order 02 further ordered the matter be set for a prehearing conference.
- 6 **STATUTORY AUTHORITY:** The Commission has jurisdiction over this matter under RCW Title 81, and has legal authority to regulate the rates, services, and practices of solid waste collection companies pursuant to RCW 81.77. The statutes that apply to this matter include RCW 80.01, RCW 81.04 and RCW 81.28 relating to rates, including but not limited to RCW 81.01.010, RCW 80.01.040, and RCW 81.04.020. The rules that apply to this matter include those within WAC 480-70, relating to solid waste collection companies.
- 7 The Commission will hear this matter under the Administrative Procedure Act (APA), particularly Part IV of RCW 34.05 relating to adjudications. The provisions of the APA that relate to this proceeding include, but are not limited to RCW 34.05.413, RCW 34.05.422, RCW 34.05.431, RCW 34.05.440, RCW 34.05.449, and RCW 34.05.452. The Commission will also follow its procedural rules in WAC 480-07 in this proceeding.
- 8 The Commission finds there is good cause to hear this matter on shortened notice. *See* WAC 480-07-440(1)(a).
- 9 **THE COMMISSION GIVES NOTICE That it will hold a prehearing conference in this matter at 9:30 a.m., on March 16, 2015, in the Commission's Hearing Room, Second Floor, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.**
- 10 The purpose of the prehearing conference is to consider requests for intervention, facilitate further discussion between the parties, and determine other matters to assist the Commission in resolving the matter, as listed in WAC 480-07-430.
- 11 **INTERVENTION:** Persons who wish to intervene should file a petition to intervene in writing at least three business days before the date of the prehearing conference. *See* WAC 480-07-355(a). The Commission will consider oral petitions to intervene

during the conference, but strongly prefers written petitions to intervene. Party representatives must file a notice of appearance with the Commission no later than the business day before the conference. *See* WAC 480-07-345(2). Any party or witness in need of an interpreter or other assistance should fill out the form attached to this notice and return it to the Commission. The Commission will set the time and place for any evidentiary hearings at the prehearing conference, on the record of a later conference or hearing session, or by later written notice.

12 **THE COMMISSION GIVES NOTICE that any party who fails to attend or participate in the prehearing conference set by this Notice, or any other stage of this proceeding, may be held in default under RCW 34.05.440 and WAC 480-07-450.**

13 The names and mailing addresses of all known parties and their known representatives are as follows:

Complainant: Washington Utilities and Transportation
Commission
1300 S. Evergreen Park Drive S.W.
P.O. Box 47250
Olympia, WA 98504-7250
(360) 664-1160

Representative: Julian Beattie
Assistant Attorney General
1400 S. Evergreen Park Drive S.W.
P.O. Box 40128
Olympia, WA 98504-0128
(360) 664-1225
jbeattie@utc.wa.gov

Respondent: Waste Management of Washington, Inc.
d/b/a Waste Management of Spokane
Michael A. Weinstein
720 4th Avenue, Suite 400
Kirkland, WA 98033-8136
(425) 814-7840
mweinstein@wm.com

Representative: Polly L. McNeill
Attorney at Law
Summit Law Group PLLC
315 Fifth Avenue S, Suite 1000
Seattle, WA 98104
(206) 676-7040
pollym@summitlaw.com

- 14 An administrative law judge, from the Commission's Administrative Law Division, will preside during this proceeding.
- 15 The Commission will give parties notice of any other procedural phase of the proceeding in writing or on the record, as appropriate during this proceeding.

DATED at Olympia, Washington, and effective March 2, 2015.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

STEVEN V. KING
Executive Director and Secretary

Inquiries may be addressed to:

Executive Director and Secretary
Washington State Utilities and
Transportation Commission
Richard Hemstad Building
1300 S. Evergreen Park Drive S.W.
P.O. Box 47250
Olympia, WA 98504-7250
(360) 664-1160

NOTICE

Hearing facilities are accessible to persons with disabilities. Smoking is prohibited. If limited English-speaking, hearing-impaired parties or witnesses are involved in a hearing and need an interpreter, a qualified interpreter will be appointed at no cost to the party or witness.

If you need an interpreter, or have other special needs, please fill out this form and return it to Washington State Utilities and Transportation Commission, Attention: Steven V. King, 1300 S. Evergreen Park Drive SW, P. O. Box 47250, Olympia, WA 98504-7250. (PLEASE SUPPLY ALL REQUESTED INFORMATION)

Docket : _____

Case Name: _____

Hearing Date: _____ Hearing Location: _____

Primary Language: _____

Hearing Impaired (Yes) _____ (No) _____

Do you need a certified sign language interpreter:

Visual _____ Tactile _____

Other type of assistance needed: _____

English-speaking person who can be contacted if there are questions:

Name: _____

Address: _____

Phone No.: (____) _____