

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

WASHINGTON UTILITIES AND)	DOCKET TG-061484
TRANSPORTATION COMMISSION,)	
)	ORDER 01
Complainant,)	
)	
v.)	
)	
WASTE CONNECTIONS OF)	COMPLAINT AND ORDER
WASHINGTON, INC., d/b/a CLARK)	SUSPENDING TARIFF REVISIONS;
COUNTY DISPOSAL COMPANY,)	ALLOWING REVISED RATES TO
G-253)	BECOME EFFECTIVE NOVEMBER 1,
)	2006, ON A TEMPORARY BASIS,
Respondent.)	SUBJECT TO REFUND
.....)	

BACKGROUND

- 1 On September 15, 2006, Waste Connections of Washington, Inc., d/b/a Clark County Disposal Company (Clark County Disposal or Company) filed with the Washington Utilities and Transportation Commission (Commission) a new Tariff No. 2. The stated effective date is November 1, 2006. The filing would increase residential, commercial and drop box solid waste rates.

- 2 Clark County Disposal’s proposed rates were designed to increase revenues by \$1,945,600 (12.3%) annually. Commission Staff’s review revealed that some proposed rates were excessive. Staff and the Company negotiated revised rates that would increase annual revenues by approximately \$1,608,000 (10.1%). On October 19, 2006, Clark County Disposal filed revised, lower rates on substitute tariff pages to reflect this reduced revenue level.

- 3 The Commission has received thirty seven customer comments concerning the Company’s original (September 15, 2006) filing. Thirty six customers objected to the magnitude of the two can weekly rate increase. They were concerned that the two can rate increase was not proportional to the one can weekly rate increase. One customer is supportive of the proposed rate increase.

- 4 Customers deserve to know about, and comment on, those revised rates. The Commission should consider all information, including any additional customer comments on the revised rates, in deciding whether to conduct an evidentiary hearing on

the revised rates. Clark County Disposal, therefore, has not yet demonstrated the revised rates are fair, just, reasonable and sufficient.

- 5 The proposed revised rates might injuriously affect the rights and interests of the public. The Commission therefore suspends the tariff filing. The Commission accepts the proposed revised rates as temporary rates and allows those revised rates to become effective on November 1, 2006, on a temporary basis, subject to refund. Public hearings may be held to determine whether the proposed changes are fair, just, reasonable and sufficient.

FINDINGS AND CONCLUSIONS

- 6 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington vested by statute with the authority to regulate rates, regulations, practices, accounts, securities, affiliated transactions, and transfers of public service companies, including solid waste companies. *RCW 80.01.040; Chapter 81.01 RCW; Chapter 81.04 RCW; Chapter 81.28 RCW; Chapter 81.16 RCW; and Chapter 81.77 RCW.*
- 7 (2) Clark County Disposal is a solid waste company and is a public service company subject to the jurisdiction of the Commission.
- 8 (3) This matter was brought before the Commission at its regularly scheduled meeting on October 25, 2006.
- 9 (4) The tariff revisions filed by Clark County Disposal on September 15, 2006, and the substitute pages filed on October 19, 2006, increase solid waste rates.
- 10 (5) Clark County Disposal has not yet demonstrated that the provisions for solid waste rates are fair, just, reasonable and sufficient. The Commission finds it reasonable to allow the revised rates filed on October 19, 2006, to become effective November 1, 2006, on a temporary basis subject to refund.
- 11 (6) Clark County Disposal may be required to pay the expenses reasonably attributable and allocable to such an investigation to the extent the requirements for such payment are in accordance with the provisions of Chapter 81.20 RCW.

ORDER

THE COMMISSION ORDERS:

- 12 (1) The tariff revision(s) filed by Waste Connections of Washington, Inc., d/b/a Clark
County Disposal Company (“Company”) on September 15, 2006, are suspended.
- 13 (2) The proposed revised rates the Company filed on October 19, 2006, that reflect
Staff-recommended levels should be allowed to become effective November 1,
2006, on a temporary basis, subject to refund.
- 14 (3) The Commission may hold hearings if needed at such times and places as
required.
- 15 (4) Waste Connections of Washington, Inc., d/b/a Clark County Disposal Company
must not change or alter the tariff filed in this docket during the suspension
period, unless authorized by the Commission in this docket.
- 16 (5) The Commission will institute an investigation of Waste Connections of
Washington, Inc., d/b/a Clark County Disposal Company’s books, accounts,
practices, activities, property and operations as necessary and as described above.
- 17 (6) Waste Connections of Washington, Inc., d/b/a Clark County Disposal Company
shall pay the expenses reasonably attributable and allocable to the Commission’s
investigation to the extent the requirements for such payment are in accordance
with the provisions of Chapter 81.20 RCW.
- 18 (7) The proposed revised tariff pages filed on October 19, 2006, shall become
effective on November 1, 2006, on a temporary basis, subject to refund if the
Commission determines that different rates will be fair, just, reasonable and
sufficient.

DATED at Olympia, Washington, and effective October 25, 2006.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARK H. SIDRAN, Chairman

PATRICK J. OSHIE, Commissioner

PHILIP B. JONES, Commissioner