

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

WASHINGTON UTILITIES AND)	DOCKET TG-061152
TRANSPORTATION COMMISSION,)	
)	ORDER 01
Complainant,)	
)	
v.)	
)	COMPLAINT AND ORDER
RABANCO LTD, d/b/a LYNNWOOD)	SUSPENDING TARIFF; ALLOWING
DISPOSAL, G-12)	RATES SEPTEMBER 1, 2006, ON A
)	TEMPORARY BASIS SUBJECT TO
Respondent.)	REFUND
.....)	

BACKGROUND

- 1 On July 14, 2006, Rabanco LTD, d/b/a Lynnwood Disposal, (Lynnwood Disposal) filed with the Washington Utilities and Transportation Commission (Commission) revised pages to Tariff No. 4. The stated effective date is September 1, 2006.
- 2 The filing would:
 - (1) Increase the recycling commodity adjustment to a \$1.71 credit per month for residential customers and \$0.41 per yard credit for multi-family customers.
 - (2) Continue the thirty percent recycle revenue sharing under the provisions of RCW 81.77.185.
- 3 Snohomish County Solid Waste officials are not yet ready to make a recommendation regarding Lynnwood Disposal’s continued participation in the revenue sharing program. The county and Lynnwood Disposal have not agreed on the terms of a new revenue sharing agreement.
- 4 Lynnwood Disposal has not therefore demonstrated that the commodity credits for residential and multi-family recycling are fair, just and reasonable. Those items might injuriously affect the rights and interests of the public. The Commission therefore suspends the tariff filing, but allows the rates to become effective on September 1, 2006, on a temporary basis subject to refund. Public hearings may be held to determine whether the proposed changes are fair, just, and reasonable.

FINDINGS AND CONCLUSIONS

- 5 (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.*
- 6 (2) Lynnwood Disposal is a solid waste company and is a public service company subject to the jurisdiction of the Commission.
- 7 (3) This matter was brought before the Commission at its regularly scheduled meeting on August 30, 2006.
- 8 (4) The tariff revisions filed by Lynnwood Disposal on July 14, 2006, increase residential and multi-family recycling commodity credits.
- 9 (5) Lynnwood Disposal has not yet demonstrated that the provisions for residential and multi-family recycling credits are fair, just, reasonable, and sufficient. The Commission finds it reasonable to allow the rates to become effective September 1, 2006, on a temporary basis subject to refund. Lynnwood Disposal anticipates finalizing a new revenue sharing plan by mid-September.
- 10 (6) Lynnwood 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:

- 11 (1) The tariff revision(s) filed by Rabanco LTD. d/b/a Lynnwood Disposal on July 14, 2006, related to residential and multi-family recycling credits are suspended.
- 12 (2) The suspended rates and commodity credits should be allowed to become effective September 1, 2006, on a temporary basis subject to refund, for the benefit of customers receiving the credits.
- 13 (3) The Commission may hold hearings if needed at such times and places as required.
- 14 (4) Rabanco LTD. d/b/a Lynnwood Disposal must not change or alter the tariffs filed in this docket during the suspension period, unless authorized by the Commission.
- 15 (5) The Commission will institute an investigation of Rabanco LTD. d/b/a Lynnwood Disposal's books, accounts, practices, activities, property and operations as necessary and as described above.
- 16 (6) Rabanco LTD. d/b/a Lynnwood Disposal 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.

The Commissioners, having determined this filing to be consistent with the public interest, directed the Secretary to enter this Order.

DATED at Olympia, Washington and effective August 30, 2006.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Executive Secretary