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CITY AND COUNTY OF SAN FRANCISCO  
DEPARTMENT OF PUBLIC WORKS  
DIRECTOR'S HEARING ON PROPOSED REFUSE RATES  
2017 REFUSE RATE APPLICATION

CITY HALL  
1 DR. CARLTON B. GOODLETT PLACE, ROOM 400  
SAN FRANCISCO, CA 94102

Wednesday, May 3, 2017

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1 Wednesday, May 3, 2017 8:07 a.m.  
2 PROCEEDINGS  
3 DIRECTOR NURU: All right. If everyone would  
4 take their seats, I'll go ahead and call this hearing to  
5 order.  
6 Good morning, everyone. I am Mohammed Nuru,  
7 Director of the Department of Public Works, City and  
8 County of San Francisco. This is the sixth and final  
9 day of the Director's hearing on the Recology's  
10 application for an increase of residential collection  
11 and disposal rates.  
12 Today is Wednesday, May 3rd. The agenda for  
13 today is on the table. As in every hearing, we will  
14 reserve the last period for public comment. I intend to  
15 close the record at the end of today's hearing; so if  
16 you have anything to add to the proceedings, I encourage  
17 you to take advantage of this last opportunity. You may  
18 also convey your comments to the Ratepayer Advocate.  
19 Before we start the hearing, I would like the  
20 Public Works clerk to make an announcement concerning  
21 the Department's efforts to comply with Title VI of the  
22 Civil Right Act and ask your cooperation with a public  
23 participation survey.  
24 Mr. Pujol, would you proceed with your  
25 announcement.

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1 MR. PUJOL: Title VI of the Civil Rights Act  
2 requires equal and equitable access to San Francisco's  
3 Public Works program activities and services. To  
4 document that the Department is in compliance with the  
5 Title VI, we ask that everyone attending and  
6 participating in today's hearing complete a public  
7 participation survey. However, this survey is optional  
8 and completing it is not required for participation.  
9 The data you provide will be analyzed and be used to  
10 ensure residents and stakeholders in the community are  
11 involved in the refuse rate hearing process. The  
12 information will not be used for any other purposes.  
13 You will find the survey on the sign-in table. Please  
14 complete survey forms in the collection box.  
15 Thank you.  
16 DIRECTOR NURU: Thank you, Mr. Pujol.  
17 Okay. Our meeting is being transcribed; so I  
18 ask everyone who wants to speak to come forward and talk  
19 clearly into the microphone so that we can capture your  
20 testimony.  
21 Today we will start with testimony from the  
22 Department of the Environment followed by testimony from  
23 Public Works. Recology and the Ratepayer Advocate will  
24 have the opportunity to cross-examine City staff. We  
25 may also hear additional redirect examination of any

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1 witnesses as necessary. Recology will be offered the  
2 opportunity provide additional testimony and the  
3 Ratepayer Advocate will present a final summary on its  
4 outreach efforts and a summary of the public concerns  
5 for the record.  
6 Department of the Environment, are you ready  
7 to proceed?  
8 MR. HALEY: We are.  
9 DIRECTOR NURU: Mr. Haley.  
10 MR. HALEY: I'd like to call Kevin Drew up,  
11 please.  
12 We may need to bring him in from outside.  
13 (Mr. Drew enters the hearing room.)  
14 DIRECTOR NURU: Come to the stand, sir.  
15 KEVIN DREW,  
16 having previously been duly sworn,  
17 was examined and testified as follows:  
18 THE WITNESS: Good morning.  
19 MR. HALEY: Good morning.  
20 EXAMINATION  
21 BY MR. HALEY:  
22 **Q. What's your position at the San Francisco**  
23 **Department of the Environment?**  
24 A. I am a Residential Zero Waste Senior  
25 Coordinator.

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1 **Q. About how many years have you been working**  
2 **with residences and apartment buildings on zero waste?**  
3 A. Over thirty.  
4 **Q. Is it possible that some of the 348 largest**  
5 **apartment buildings Recology discussed at the last**  
6 **hearing are actually commercial accounts?**  
7 A. Yes.  
8 **Q. In your experience, is it possible to go from**  
9 **10% to 65% or even 75% landfill diversion at a large**  
10 **apartment building in one effort?**  
11 A. No, not in one effort.  
12 **Q. Is it possible to increase diversion of a**  
13 **large building from, say, 50% to 65% or 75%?**  
14 A. Yes, that's possible.  
15 **Q. And that takes a bit of work?**  
16 A. Yes. Well, all of it takes quite a bit of  
17 work.  
18 **Q. So in addition to changing chutes and working**  
19 **with building management as was discussed last week,**  
20 **would it typically also require engaging a zero-waste**  
21 **facilitator?**  
22 **And for those who don't know what that is,**  
23 **it's an organization that helps educate tenants and**  
24 **valet and/or sort material on-site.**  
25 A. Yes, that kind of work has been very

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1 effective.  
2 **Q. And do many San Francisco buildings currently**  
3 **have zero-waste facilitators?**  
4 A. Sadly, no. We're just beginning to see that  
5 industry take hold.  
6 **Q. So Recology proposed 1% apartment migration.**  
7 **Given these and other considerations and all**  
8 **your experience with this sector, what percent migration**  
9 **is reasonable?**  
10 A. I think 3/4ths of a percent is a more  
11 reasonable number to project.  
12 MR. HALEY: That's all the questions I have.  
13 DIRECTOR NURU: Okay. Mr. Baker, do you wish  
14 to cross-examine the witness --  
15 MR. BAKER: It'll disappoint Mr. Drew, but I  
16 have no questions.  
17 DIRECTOR NURU: -- at this time?  
18 THE WITNESS: Duly noted.  
19 DIRECTOR NURU: Ms. Dilger, do you wish to  
20 cross-examine the witness?  
21 (Ms. Dilger shakes her head "no.")  
22 DIRECTOR NURU: Okay. We'll proceed with the  
23 Public Works presentation. Ms. Dawson?  
24 PRESENTATION BY PUBLIC WORKS  
25 MS. DAWSON: Thank you, Mr. Nuru.

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1 I'm going to come down here so that can I use  
2 the equipment here to present a few items.  
3 I'm going to first start some testimony that  
4 relates to the proposed residential refuse rates, and  
5 then I'm going to ask Recology to come up and talk about  
6 BIR -- Bulky Item Recycling -- and Abandoned Materials  
7 Collection programs.  
8 So I'm going go ahead and start with the  
9 testimony or presentations related to the rates. And as  
10 such, I have an exhibit to introduce.  
11 DIRECTOR NURU: Okay. I'm being advised that  
12 you probably should be sworn in since you're testifying.  
13 JULIA DAWSON,  
14 having first been duly sworn,  
15 was examined and testified as follows:  
16 MS. DAWSON: Okay. So I'd like to continue  
17 this with a conversation about the distribution of the  
18 effective rate increases that cost different customer  
19 classes. So in a prior Director's hearing we introduced  
20 Exhibit 88, and Mr. Garth Schultz testified about the  
21 number of customer service mixes that would actually  
22 experience a decrease in their monthly service charge,  
23 which is primarily as a result of the reduced charge for  
24 trash, from \$25.90 to \$10.44 per 32 gallons.  
25 So for customers with 96-gallon trash service,

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1 I understand that they're going to be transitioned to  
2 64 gallons of service; so a portion of their rate  
3 reduction is due to a decrease in actual service levels.  
4 But for those customers to who currently have a  
5 64-gallon trash service, they would see a reduction  
6 merely as a result of the structural change in the rates  
7 and not as a result of any change in their service  
8 levels. So while the City understands that Recology's  
9 proposed rate structure is intended to move closer to  
10 the full cost of service, we believe that we need to  
11 mitigate the unintended consequence of high-volume  
12 trash generators receiving a reduction in their  
13 monthly service charge without any change in behavior.  
14 So imposing a premium rate on trash service  
15 above 32 gallons per dwelling unit would continue to  
16 provide an incentive for customers to downsize their  
17 trash service and migrate to lower-cost recycling and  
18 composting services. A tiered rate structure where  
19 additional units of service cost more, which is pretty  
20 common in water or electricity rates, is a rate  
21 structure that you see in a lot of San Francisco  
22 services.  
23 Yes?  
24 MR. PRADHAN: You've been referring to a  
25 document that you distributed. Is that an existing

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1 exhibit or should we mark that as a new exhibit, 97?  
2 MS. DAWSON: No, this is a new exhibit.  
3 Sorry, you were I think a little distracted when I  
4 started and moved in. So this is a new exhibit.  
5 MR. PRADHAN: Okay. This will be admitted as  
6 Exhibit 97 then.  
7 (Exhibit 97, "Sample Changes in Single Family  
8 Residential Monthly Service Charges [City],"  
9 was admitted into evidence.)  
10 MS. DAWSON: Okay. So what I was referring to  
11 was kind of a more detailed document on the distribution  
12 of rates that we did for both the Unit-1 customers and  
13 the U-2 through -5 for residential rates in the last  
14 rate process.  
15 So what this exhibit is going to run through  
16 is basically what the typical residential customer looks  
17 like with the current default and with what we're  
18 proposing, and then how it affects across the different  
19 rate years for both the average customer, the small-  
20 quantity generator customer, and the large-volume trash  
21 customer, and I'll get to that in a second.  
22 So, consistent with the approach of providing  
23 higher costs for incremental service, because the idea  
24 is every incremental service does actually potentially  
25 lead to higher costs whether it's expanding facilities

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1 or adding routes. So the City looked at the impact of  
2 charging a \$10 dollar premium on every 32 gallons of  
3 trash service above the first 32 gallons per dwelling  
4 unit. And based on customer data from Recology, we  
5 estimate that the surcharge would about \$850,000 dollars  
6 a year, which takes into account potential migration to  
7 lower service levels. So when this number is factored  
8 into the revenue requirement, it reduces the rate  
9 increase by a little less than 0.5% in the first year.  
10 So while this overall impact on rates isn't substantial,  
11 the City believes that this premium charge is more  
12 consistent with its overall policy goals of promoting  
13 zero waste.  
14 So when we talked last week, we also talked  
15 about the roughly 24,000 customers who are low-quantity  
16 generators who already are at minimum service levels and  
17 would experience an above-average rate increase, 40% in  
18 the first year. So Recology had proposed to mitigate  
19 that impact with a \$5 dollar transition credit in the  
20 first year, reducing their effective increase to about  
21 20%. And I agree with Recology's assessment that the  
22 customers have benefitted in the past from relatively  
23 low charges for recycling and composting services as  
24 well as from a low fixed charge that does not reflect  
25 the company's cost structure.

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1 Nevertheless, given the magnitude of the rate  
2 increase that they face, I suggest that we offer this  
3 \$5 dollar transition credit for two years, which is  
4 consistent with the time frame that Recology plans to  
5 roll out the new default service to all customers.  
6 And at that time, I agree it is appropriate for the  
7 20-gallon customers to be brought into line with other  
8 residential customers. Since the existing 20-gallon  
9 customers keep their bins, as has been stated in prior  
10 hearings, they do receive an extra four gallons of  
11 capacity at no extra charge.  
12 So the exhibit that I introduced before kind  
13 of shows exactly how that would play out. The top  
14 table -- and I apologize for the small type; that's why  
15 we had handouts so that it was easier for people to  
16 see -- were calling the typical residential customer  
17 with 32 gallons of service for each element of the waste  
18 stream. So these customers will be transitioned, as  
19 Recology's described, over a two-year rollout period to  
20 new default service of 16 trash, 64 recycling, and  
21 32 compost.  
22 Given the proposed rate structure, the  
23 resulting increase will be the same whether they keep  
24 their 32/32/32 current service or they accept the new  
25 default service level. The table here has been expanded

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1 to show the impact that the scheduled increase is in  
2 years two through four as various surplus revenues have  
3 been applied and are then exhausted. So overall -- and  
4 before any COLA increases, which would be assessed on  
5 top of that -- the typical residential customer will  
6 see a 22% rate increase over four years from roughly  
7 \$35 dollars a month to \$43 a month. So in actual  
8 dollars terms, those customers start at roughly \$35  
9 dollars, go up to \$40-\$42, and eventually end up with  
10 about a 7% overall increase at the end of the projected  
11 four-year period.  
12 So the second category I want to talk about  
13 are the small-quantity generators who've already reduced  
14 their trash service. So with the with the \$5 dollar  
15 credit, they will receive an increase of 20% in the  
16 first year. But there is a 5% increase in the second  
17 year as the Zero Waste Incentive funds are exhausted  
18 after their application, and another increase in the  
19 third year when the credit is discontinued. So overall,  
20 these customers will receive a 47% increase over four  
21 years from \$25 a month to \$37 a month -- again, before  
22 COLA is applied.  
23 But by continuing the credit for an additional  
24 year, it mitigates that big jump in year two when both  
25 the \$5 dollar credit and the application of surplus

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1 revenues would essentially be sunseting at the same  
2 time. And this approach kind of reflects a lot of what  
3 we've heard in public comment, which is to the extent to  
4 which the City can, the public has asked us to implement  
5 the rate increase over time in a slower manner when  
6 that's possible; and so this is what we're trying to  
7 achieve here with these small-quantity generator  
8 customers.  
9 Okay. So the third category are what I've  
10 been describing as the large-volume trash customers.  
11 So this would be a single-family home with 64 gallons  
12 of trash service and roughly -- this exhibit showing  
13 32 gallons of recycling and composting. So even with a  
14 \$10 dollar high-volume premium charge, these customers  
15 would experience a less-than-1% increase in their rates  
16 in the first year and they would also be subject to the  
17 same incremental rate increases in years two through  
18 four as other customers. So over the four-year period,  
19 their rates increased about 5% from a monthly charge of  
20 \$61 to \$64. But what is also true for these customers  
21 is they can further mitigate their rate impact by  
22 downsizing their trash and increasing their other  
23 services, either recycling or composting.  
24 So now I'd like to introduce a second exhibit  
25 which shows kind of the financial assumptions behind

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1 this proposal.  
2 MR. PRADHAN: So this next document is  
3 called "2017 Rate Calculation Impact of Trash Premium,"  
4 one page, and we will admit it as Exhibit 98.  
5 (Exhibit 98, "2017 Rate Calculation Impact  
6 of Trash Premium [City]," was admitted  
7 into evidence.)  
8 MS. DAWSON: Thanks.  
9 So I'm just going to briefly kind of walk  
10 through this exhibit, which shows the effect of adding  
11 revenues from potential trash premium charge and  
12 continuing the \$5 dollar transition credit for a second  
13 year. So the top portion of the exhibit shows the  
14 Recology proposal including post-filing changes. The  
15 second table at the bottom shows what the new proposed  
16 adjustments would like look in terms of increases to  
17 customers over the four-year period, and it also shows  
18 the assumptions on both the additional revenues that  
19 would come in as a result of the proposal and shows the  
20 way in which the credit changes the rate adjustments.  
21 So when the \$850,000 dollars from the premium  
22 charge is added to the revenues, the required rate  
23 increase declines by 4/10ths of a percent. I know that  
24 the amount generated from the premium over the four-year  
25 period, it just about offsets the value of the credit

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1 offered in the first two years; so \$3.4 million in  
2 revenue versus \$3.5 million in credits, because the  
3 premium charge would continue throughout the period  
4 whereas the credit is only offered for two years.  
5 And that's all I have on the rates.  
6 DIRECTOR NURU: Okay. We have some Bulky Item  
7 and Abandoned Material stuff.  
8 MS. DAWSON: So at this time I'd like to ask  
9 Dan Negron to come up.  
10 DAN NEGRON,  
11 having previously been duly sworn,  
12 was examined and testified as follows:  
13 THE WITNESS: Good morning.  
14 MS. DAWSON: Before I have questions of  
15 Mr. Negron, I'm going to go ahead and introduce one  
16 final exhibit from me which shows the Abandoned  
17 Material program -- Abandoned Waste program calls.  
18 It's a little bit of a flavor of what we saw the last  
19 time, but there's a point in particular I want to make  
20 people aware of before I start asking Mr. Negron some  
21 questions.  
22 MR. PRADHAN: So this is a three-page document  
23 titled "Map of Abandoned Waste Service Orders," and we  
24 will admit it as Exhibit 99.  
25 (Exhibit 99, "Map of Abandoned Waste Service

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1 Orders [City]," was admitted into evidence.)  
2 MS. DAWSON: Okay. So I'm actually going to  
3 show these maps in a slightly different order than what  
4 they were printed in, so I apologize for that. There's  
5 essentially three different views of the Abandoned  
6 Materials Collection program. One is service orders  
7 received during the operating shift, and I'm going to  
8 put that one up now.  
9 So we talked a little bit and looked in the  
10 last hearing about call volumes between the Abandoned  
11 Materials Collection program and the Bulky Item  
12 Recycling program. But I'm focused in this particular  
13 time on Abandoned Material because it doesn't look  
14 the same as the Bulky Item Collection and there are a  
15 variety of reasons for that which I'm going to have  
16 Mr. Negron talk to in a few minutes. But before we go  
17 there, I just want us to understand kind of what the  
18 Abandoned Materials Collection call volumes generally  
19 look like.  
20 So this is during the day when Recology's  
21 crews are going out and they're responding to calls for  
22 service, essentially both -- these are the calls that  
23 are coming in from 8 o'clock on; so it doesn't reflect  
24 any calls that Recology might have gotten after 4:30  
25 when they stop accepting calls and route those calls for

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1 response to the next morning. So this is all about what  
2 the customer's asking for, not so much about what  
3 Recology is actually doing out there on the street. So  
4 you can see that there's definitely particular parts of  
5 town that received more calls for Abandoned Material  
6 Collection, although there are a smattering of calls,  
7 generally speaking, around all of San Francisco.  
8 So this is what the call volumes look like  
9 that come in between 4:30 and 8 o'clock. And you'll  
10 notice that there's a particularly concentrated area,  
11 generally speaking, in what we're describing as kind of  
12 the northeast corner and kind of down the spine of  
13 Mission Street and little bit into the Bayview. But  
14 it's predominately focused in that kind of Civic Center/  
15 Tenderloin/Chinatown part of town.  
16 And then this final map, which is the one you  
17 see the first page, just shows you the two superimposed  
18 together -- gives you a sense of just how intense the  
19 demand is for Abandoned Materials Collection, but it is  
20 not an evenly-distributed demand; it's a very much  
21 focused demand.  
22 So with that, I'm going to go ahead and start  
23 asking Mr. Negron to explain a few things.  
24 EXAMINATION  
25 BY MS. DAWSON:

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1 **Q. So in our previous Director's hearing,**  
2 **Recology proposed to combine the Bulky Item Recycling**  
3 **program and the Abandoned Materials Collection program.**  
4 **Can you please describe why Recology believes this is a**  
5 **more efficient way to provide service for both programs?**  
6 **And can you explain the differences between the ways**  
7 **that the Bulky Item Recycling program and the Abandoned**  
8 **Materials Collection program are operated today?**  
9 A. Okay, let me answer the second part first.  
10 So today, the Bulky Item Recycling program  
11 which has been around for over 20 years, a very  
12 successful and highly popular program, has ten crews --  
13 excuse me, five crews, ten drivers who through an  
14 appointment system provide service curbside Bulky Item  
15 Collection for those customers that for whatever reason  
16 can't bring it to the transfer station or don't have the  
17 pickup truck to move the materials. The crews do an  
18 average of 60 to 70 stops per day per crew and they  
19 launch as early as 6:00 in the morning and they'll do a  
20 full eight-to-nine-hour day.  
21 On the Abandoned Materials side, the crews --  
22 same amount of crews: ten drivers -- excuse me, five  
23 crews, ten drivers, ten vehicles -- they try to manage  
24 what Julia has shown here for Mondays which is our most  
25 business request day. They launch at 8:00 in the

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1 morning and they are basically what we call "dynamic  
2 routing." It's whatever comes across their computer  
3 system in their trucks, because they're connected  
4 directly with 311, and they pretty much chase all these  
5 circles all day from 8:00 to 4:30.  
6 Specifically to Abandoned Material, we have  
7 what they call a "four-hour service level agreement."  
8 So although in the Bulky Item Recycling, our goal is to  
9 take care of the customer within 48 hours by  
10 appointment. The Abandoned Material, the requirement is  
11 that we service the requests through 311 within four  
12 hours any time between 8:00 and 4:30. And so we get a  
13 call any time between 4:15 and 4:29 in the late  
14 afternoon in that northeast corridor that you see the  
15 predominant circles, that's were we head.  
16 We looked at the data together, the Staff and  
17 Recology, and I think we're averaging two-and-a-half to  
18 close to three hours of overtime as it sits today with  
19 that 8:00 to 4:30 requirement.  
20 **Q. So what do you think you're going to gain when**  
21 **you combine both of these programs together? How will**  
22 **that kind of help you operate?**  
23 A. Good question. So we have learned through --  
24 since 2013 we first rolled out Abandoned Material --  
25 that the efficiencies that the Bulky Item Recycling

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1 program brings, which is routing the calls more  
2 efficiently because we have an opportunity to bring in  
3 all the calls from the previous day or the evening and  
4 we are able to assign specific workloads for the crews.  
5 They have a clear path where they're going to travel for  
6 the day's business. They're able to do -- like I said  
7 earlier, 60 to 70 stops versus the Abandoned Material  
8 program which, to your point, from 1600 or 1630 to 0800  
9 in the morning, we may -- we'll get an average of calls  
10 that the crews can pretty much pick up within an hour or  
11 two hours tops, three.

12 And then the rest of their day, it's dynamic  
13 routing based on calls on-the-fly; so we don't really  
14 have a good opportunity to route, which is really the  
15 critical component. We see the opportunity to combine  
16 and make this more efficient. I know we originally in  
17 the rate application had requested for four additional  
18 drivers and trucks to support both of these programs,  
19 but I think we can mitigate some of that by combining  
20 it, giving us an opportunity to route as much as we can  
21 the previous day and through the evening. And at the  
22 end of the day, we save a little bit of money for the  
23 ratepayers. It makes a world of difference.

24 **Q. Can you describe a little bit about the way**  
25 **that your zone system works today and how you think it**

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1 our zones, Zone 1 would be the entire Sunset and half of  
2 the Richmond area; so that's a lot of real estate to  
3 cover for one crew, but we find that the calls are  
4 fairly -- under the AMC umbrella, the calls are fairly  
5 light, so we give them more geography to drive. The  
6 problem is is that the more geography I give them, the  
7 more efficient they are. We call it "windshield time"  
8 in chasing these abandoned materials on-the-fly.

9 **Q. So because we have this uneven distribution,**  
10 **we talked about adding an additional crew; so you would**  
11 **have ten in your zones with the combined program, and**  
12 **then one additional crew. Can you speak to what that**  
13 **crew would be doing and why you think that's an**  
14 **important part of the combination of these two programs?**

15 A. So as the Staff and us sat down and really  
16 dived into the data, there is a significant need for a  
17 specific Abandoned Material Collection in that northeast  
18 corridor. So without impacting our ability to lose any  
19 efficiency, all the gains we have for the AMC/BIR in the  
20 ten zones, we would recommend adding an additional crew  
21 truck -- two trucks and two drivers, one crew to the  
22 northeast corridor -- and we would start them in the  
23 later afternoon.

24 I've been speaking to the superintendent at  
25 SF Public Works, and we would adjust their times from

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1 **will work once you combine both programs together?**

2 A. So the zone system as it applies to Abandoned  
3 Material Collection, we initially split the city into  
4 five zones -- at least initially for all the calls that  
5 come in through the evening. But then as the calls  
6 become dynamic during the day, the crews are moved  
7 depending on the supply and demand; and so crews will  
8 migrate towards the northeast corner if that's the case  
9 versus what we're proposing.

10 If we were to combine the crews, we in theory  
11 would have ten zones, smaller footprint for the crews to  
12 handle a fairly -- efficiently would be the Bulky Item  
13 Recycling requests, and then we can definitely with the  
14 same equipment and the same drivers pick up these  
15 dynamic calls on the Abandoned Materials. And we'll  
16 have the resources to -- as you can see, if we have some  
17 Sunset/Parkside areas that are fairly light in calls, we  
18 can move those assets to the predominant areas where the  
19 high requests are coming in. Gives us a lot more  
20 flexibility.

21 **Q. And can you speak a little bit to the**  
22 **differential size of those operational zones? I know**  
23 **that they're not all the same size, and there's reason**  
24 **for that.**

25 A. Right. So looking at your map, we -- one of

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1 maybe 12:00 to 8:00, 12:00 to 9:00, or as late as 2:00  
2 to 11:00, and allows the crews on the off-shift to  
3 really mitigate a lot of those calls that are coming in  
4 the evening, which gives our core ten zones/ten crews  
5 the opportunity to deal with the calls from the night  
6 before in a limited capacity but then go after those AMC  
7 calls during the day. So it's kind of a partnership  
8 isolating the northeast corner so it doesn't impact our  
9 ability to gain those efficiencies that we talked about  
10 for AMC/BIR combination.

11 **Q. And with the discussed efficiencies we've been**  
12 **talking about, one of your goals is to try to improve on**  
13 **the scheduling of BIR and what you can offer the**  
14 **customers. Can you speak a little bit to that, kind of**  
15 **what your plans are in terms of improving customer**  
16 **response and potentially being able to provide more**  
17 **appointments for when the customers want them?**

18 A. Right. So we're sensitive to the BIR in the  
19 sense it's been a very successful program. Our goal has  
20 always been for BIR within 48 hours, depending on the  
21 supply and demand from the customer base. We think if  
22 we combine the crews, that we can offer an opportunity  
23 to get the BIRs done within 24 hours.

24 Realistically, most customers are not ready;  
25 they normally just schedule the time so that they can

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1 work on cleaning out their garage and get things at a  
2 predetermined time. But the opportunity will now exist  
3 for even same-day BIR. Depending on the calls, we can  
4 send crews out there. But at a minimum, I think if they  
5 request it, we can meet a goal of 24 hours on the BIR  
6 side.  
7 MS. DAWSON: Thank you. That's all the  
8 questions that I have.  
9 DIRECTOR NURU: Okay. Mr. Baker, do you wish  
10 to cross-examine the witness?  
11 MR. BAKER: Just one moment, please.  
12 DIRECTOR NURU: Okay.  
13 MR. BAKER: So I wonder, if I might ask,  
14 whether the City has any other witnesses. Because  
15 before we proceed, which we may have a couple of  
16 questions for Mr. Negron, we may have a couple of  
17 questions for Ms. Dawson, and then Mr. Porter was going  
18 to take the stand. I'd like to talk with my client  
19 about what we just heard to decided whether we do have  
20 any other questions. So either we could take a break  
21 now if that would be alright, or if the City has other  
22 witnesses or evidence they want to put in, they could go  
23 ahead and do that.  
24 DIRECTOR NURU: I will ask Ms. Dilger if she  
25 would like to cross-examine the witness, and then we'll

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1 give you that opportunity.  
2 EXAMINATION  
3 BY MS. DILGER:  
4 **Q. Hi. I just have a couple questions, just one**  
5 **for you. Did you consider doing nine-day routes on just**  
6 **one night shift for the combined BIR and Abandoned Waste**  
7 **service?**  
8 A. You said "nine-day routes"?  
9 **Q. Because it's ten total; is that right --**  
10 **routes?**  
11 A. Oh, nine crews?  
12 **Q. Mm-hmm.**  
13 A. And we have. The problem is the original ask  
14 was two crews, four drivers. We're projecting the data  
15 saying for this year alone, we're going to be at an 18%  
16 growth and 2018 shows another 20%; so I'm trying to  
17 mitigate the growth that's coming our way, which is  
18 significant because of both of these programs -- with  
19 the same resources that I have. So I think it's a very  
20 good -- I think we have a very good solution on the  
21 table to deal with specifically the northeast corridor  
22 which is our biggest challenge and still meet the growth  
23 that the City's projected over the next two or three  
24 years.  
25 MS. DILGER: Thank you.

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1 THE WITNESS: You're welcome.  
2 MS. DILGER: Ms. Dawson, I had a couple  
3 questions in regards to the items you introduced.  
4 You mentioned a \$10 dollar surcharge for  
5 additional 32 gallons. Did you consider multi-unit  
6 buildings that maybe share bins and service? Would they  
7 also see \$10 dollar surcharges?  
8 MS. DAWSON: We did look at that. But because  
9 of the minimum service requirements, this proposal does  
10 not end up affecting the multi-unit buildings. And it  
11 also has to do with bin size. You can't -- there are  
12 kind of awkward sizes of bins, so when you start  
13 dividing the bins by the required service level, you  
14 really don't -- and it doesn't end up affecting those  
15 customers. So really, it ends up being mostly the  
16 one-unit customers that would be affected by this  
17 surcharge.  
18 MS. DILGER: Did you also consider decreasing  
19 the dwelling unit fees for small-waste generators beyond  
20 the two years and maybe increasing that \$10 dollar  
21 surcharge even more?  
22 MS. DAWSON: So the idea was to make it  
23 neutral, essentially, between credits and surcharges.  
24 We're really looking to change behavior within the  
25 envelope that we have. We really were only looking at

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1 trying to adjust for the rate decrease by looking at a  
2 surcharge that would encourage behavior away from trash;  
3 so we didn't look at anything really beyond the \$10  
4 dollar fee. And in terms of the multi-unit, the  
5 20-gallon customers, this credit actually applies to  
6 both -- to all customers; so from one to five units,  
7 they all receive that \$5 dollar credit.  
8 MS. DILGER: Great. That's all I have.  
9 DIRECTOR NURU: Okay. So back to Mr. Baker.  
10 So were you asking for a short recess?  
11 MR. BAKER: Yes, please. Thank you.  
12 DIRECTOR NURU: Okay. We'll take a ten-minute  
13 short recess and resume at five minutes to 9:00. So  
14 9:55.  
15 (Off the record at 8:47 a.m.)  
16 (On the record at 8:58 a.m.)  
17 DIRECTOR NURU: Okay. Mr. Baker?  
18 MR. BAKER: Carolyn Pearce is going to ask  
19 Mr. Negron some questions.  
20 DIRECTOR NURU: Okay. You may begin the  
21 cross-examination of your witnesses.  
22 MS. PEARCE: I'm sorry?  
23 DIRECTOR NURU: You may continue your  
24 cross-examination.  
25 MS. PEARCE: Thank you.

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1 EXAMINATION  
2 BY MS. PEARCE:  
3 **Q. All right. Mr. Negron, there's currently a**  
4 **requirement in the 2013 Director's Report that AMC calls**  
5 **be serviced within four hours and that Recology is**  
6 **subject to liquidated damages if that service time is**  
7 **not met. Is that accurate?**  
8 A. That's correct.  
9 **Q. And how do you propose that Recology handle**  
10 **that AMC service requirement going forward?**  
11 A. We're asking the City or the Director  
12 to consider for the first six months from July to  
13 December 31st to suspend the four-hour condition.  
14 I just want to be clear because I know it gets folks a  
15 little nervous. It is our intention and our expectation  
16 that we are going to go after this material within four  
17 hours. But because there's so much dynamic routing  
18 involved with larger amount of crews and where these  
19 calls are coming from, I'd like the opportunity to at  
20 least six months of data and of course the City to be  
21 right there with me to monitor the data to ensure that  
22 that condition can be attained with the resources that  
23 I will have after this six-month period.  
24 **Q. Just to be clear, it's still Recology's**  
25 **intention and expectation to service all the AMC calls**

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1 **within four hours. Is that accurate?**  
2 A. That's accurate.  
3 **Q. So is it asking for some relief from the**  
4 **damages provision of that requirement?**  
5 A. Yes, specifically the liquidated damages.  
6 **Q. And that will just be for a six-months period.**  
7 **Is that accurate?**  
8 A. That's accurate.  
9 **Q. Is the BIR program subject to any order or**  
10 **requirement on service times currently?**  
11 A. No. It's an understanding between the City  
12 departments and Recology that we do our best for BIR to  
13 give the customer the opportunity to schedule an  
14 appointment within 48 hours.  
15 **Q. And will that continue to be Recology's goal**  
16 **for BIR calls going forward?**  
17 A. Yes. Our goal will be 48 hours or better with  
18 the efficiency that we gain.  
19 MS. PEARCE: Thank you. That's all the  
20 questions that I have.  
21 DIRECTOR NURU: Ms. Dawson, do you wish to  
22 cross-examine?  
23 EXAMINATION  
24 BY MS. DAWSON:  
25 **Q. So Mr. Negron, I know you're concerned about**

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1 **your ability to meet this four-hour window. But in the**  
2 **entire history of the program, you all have managed very**  
3 **successfully to meet that four-hour window. Can you**  
4 **speak a little bit more about why you are so concerned**  
5 **enough about the ability to make that time that you want**  
6 **this operational period of six-months?**  
7 A. I have a real concern with the growth of  
8 the program, and we've talked about this over these  
9 last several hearings, and that's really my biggest  
10 challenge, is not necessary -- I mean, everything's  
11 important to what I'm doing today. But I don't want  
12 to come back here in a year or two and ask for more  
13 resources. I need the capacity in the system to be able  
14 to manage what is going to be significant amount of  
15 participants. And specifically in the BIR, because we  
16 have a very aggressive outreach plan in the rate  
17 application for this for the apartments, and I just need  
18 to be prepared.  
19 So all the those efficiencies that we're  
20 recommending including the crew in the northeast, I feel  
21 comfortable that we will go after those four hours, but  
22 it will be a challenge if -- I just need the data to  
23 tell me that over the next six months so that I can give  
24 you assurances that the resources are there to take care  
25 of the needs of the city over the next two to three

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1 years based on the growth.  
2 **Q. And so let me just make sure I understand.**  
3 **So I know that you'd mentioned 18% growth and then 20%**  
4 **growth, and that's actually in both programs, both Bulky**  
5 **Item Recycling and Abandoned Materials Collection;**  
6 **correct?**  
7 A. That's correct.  
8 **Q. And you know, I think the hope is that as we**  
9 **combine both programs, we can encourage some people who**  
10 **are in the Abandoned Materials grouping today to move**  
11 **over to being more scheduled and like BIR. So instead**  
12 **of just putting it out on the street, we're hoping we**  
13 **can encourage some portion of those individuals to move**  
14 **to a more manageable way of disposal.**  
15 A. Yes. At the end of the day, yes, we want them  
16 to migrate towards BIR and get rid of this bad behavior.  
17 But also at the end of the day, for me, the materials  
18 switching from one side to another, I still need the  
19 requirement to get it off the streets which I know is a  
20 priority. But we will do our best to afford the BIR  
21 folks the opportunity and really the AMC folks, the  
22 folks who have the bad behavior, to utilize this program  
23 more efficiently and really get the city a lot cleaner  
24 than what we're dealing with today as far as AMC.  
25 **Q. And right now your proposal is -- so you were**

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1 **originally asking for the two crews for each program.**  
2 **So we would have been, you know, we would have had 12,**  
3 **if I'm remembering correctly. So now we're at 11.**  
4 A. We're at 11 now. So we would -- the  
5 efficiencies that we're recommending will cut the  
6 requests by half.  
7 **Q. And if the demand changed or shifts around**  
8 **between programs, that 11th crew could potentially be**  
9 **used in a variety of different ways. Is that fair to**  
10 **say?**  
11 A. Absolutely. It would give us a lot of  
12 flexibility depending on the needs of Public Works and  
13 special events and things that happen throughout the  
14 year. Absolutely.  
15 MS. DAWSON: Okay. Thank you.  
16 DIRECTOR NURU: Okay. Does the Ratepayer  
17 Advocate have any questions? No?  
18 All right. I will go back to Mr. Baker.  
19 Do you have any more witnesses you would like  
20 to call for rebuttal or any evidence you would like to  
21 enter into record?  
22 MR. BAKER: Yes. We'd like to recall  
23 John Porter, please.  
24 JOHN PORTER,  
25 having previously been duly sworn,

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1 was examined and testified as follows:  
2 EXAMINATION  
3 BY MR. BAKER:  
4 **Q. Mr. Porter, you've already been sworn.**  
5 **You understand you're still under oath, correct?**  
6 A. Yes.  
7 **Q. All right. I'd like to ask you about the**  
8 **large-volume trash customer \$10 dollar surcharge that**  
9 **Ms. Dawson talked about and that is shown in Exhibits 97**  
10 **and 98. From Recology's point of view, do you think**  
11 **this would be a good approach, namely the \$10 dollar**  
12 **surcharge?**  
13 A. Well, I understand the objectives that Julia  
14 and Public Works are trying to achieve. After further  
15 kind of discussion and investigation, we realize that  
16 many of these larger-quantity generators may be  
17 multigenerational households where people have either  
18 their parents and their grandparents living with them  
19 and therefore have a larger service volume.  
20 **Q. Have you done any scientific survey to see of**  
21 **the 3,933 customers, how many might be multigenerational**  
22 **households?**  
23 A. Unfortunately we did not, and I don't think we  
24 have that information available to us. We don't have a  
25 census on our customers, so it'd be difficult to kind of

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1 make that assertion.  
2 **Q. Do you have any anecdotal information?**  
3 A. Yes. I have two people that do work in my  
4 department that actually have multigenerational  
5 households, so two individuals who have both their  
6 parents and their grandparents living with them.  
7 And they're citizens and residents of San Francisco.  
8 **Q. Now, this is a proposal that was not discussed**  
9 **in the various workshops, I suppose, that occurred**  
10 **before and during these hearings; is that true?**  
11 A. That's correct. We've had discussions about  
12 this offline and principals -- in principal discussion  
13 about this offline.  
14 **Q. If the City nonetheless were to -- or if the**  
15 **Director, pardon me, nonetheless decided to include this**  
16 **in the Rate Order, is there anything about the**  
17 **statistics that are offered in Exhibits 97 and 98 that**  
18 **you think require further consideration?**  
19 A. I do. Particularly Exhibit 98, the volume  
20 premium. I'd make two adjustments to this. One is  
21 these customers would likely migrate away from the  
22 service over time given that it's far more expensive  
23 for similar volumetric service for other types of  
24 containers. If they're truly these high trash  
25 generators, there is opportunity for them to do that;

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1 so I would expect there to be some form of a migration  
2 assumption built into their revenues that we would be  
3 collecting over the course of the four years.  
4 **Q. And as it's been described, that's actually**  
5 **one of the purposes, isn't it, to have large-volume**  
6 **customers use smaller black bins?**  
7 A. Correct, yes.  
8 **Q. All right. Moving on to another but related**  
9 **area, there's been public comment and some discussion**  
10 **about the buildings that have two to five units.**  
11 A. Yes.  
12 **Q. And therefore they're covered under the**  
13 **residential rate setting.**  
14 A. Correct.  
15 **Q. Has there been discussion, consideration**  
16 **within Recology as to different ways that the issues**  
17 **raised by those folks can be addressed?**  
18 A. Yes. There have been ongoing discussions  
19 about the surcharge associated -- with the premium  
20 associated with shared service, and we understand our  
21 customers' concerns around this. We also have our own  
22 internal concerns around how to administer this  
23 particular kind of issue. We are looking for better  
24 alternatives. We have not yet arrived at what we  
25 believe is maybe the perfect answer, but that is an

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1 ongoing discussion that we are having and working  
2 diligently to find the right solution so that our  
3 customers don't feel like they're being penalized just  
4 because they want separate piece of paper in the form of  
5 a bill.  
6 **Q. You mentioned the word "surcharge."  
7 It's not really a surcharge, is it?**  
8 A. It's a premium. There's a 50% premium on  
9 shared services.  
10 **Q. So where does that stand right now?**  
11 A. We've got a proposal that we're in discussions  
12 with Staff about to make sure that we're addressing  
13 everyone's concerns, both Recology's, the customers' and  
14 the City's; so it hasn't been formalized or finalized  
15 yet.  
16 **Q. So I take it today you don't have a proposal  
17 to make?**  
18 A. That is correct.  
19 **Q. Okay. But you're working on it?**  
20 A. Yes.  
21 MR. BAKER: All right. Let me mark -- let me  
22 move to a different subject, which is lease financing,  
23 and mark two new documents as Exhibits -- I think 99 and  
24 100 -- no, 100 and 101; is that right, Manu?  
25 THE WITNESS: Yes, 100 and 101.

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1 MR. PRADHAN: Give me one second.  
2 MR. BAKER: Sorry to be presumptuous on this,  
3 but I have two new exhibits.  
4 MR. PRADHAN: Yes. They'll be admitted as  
5 Exhibits 100 and 101. If you could just make sure to  
6 identify which is which number.  
7 MR. BAKER: So you're going get a chart, and  
8 the chart will be 100. And you're going to get some  
9 bullet points, and that'll be 101.  
10 MR. PRADHAN: Thank you.  
11 (Exhibit 100, "Depreciation vs. Lease  
12 Treatment [Recology]," was admitted  
13 into evidence.)  
14 (Exhibit 101, "Why Lease Financing Rather  
15 than Depreciation is Required [Recology],"  
16 was admitted into evidence.)  
17 BY MR. BAKER:  
18 **Q. So Mr. Porter, I'd like to return to the  
19 question that you've already testified about, namely why  
20 Recology is proposing lease financing treatment for the  
21 three capital projects in the application -- the West  
22 Wing, the iMRF, and the trash processing -- as opposed  
23 to expensing through depreciation.**  
24 A. Okay.  
25 **Q. And you've prepared a chart, which is**

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1 **Exhibit 100. Can you tell us what this chart shows us?**  
2 A. Sure. So this chart was created to help  
3 illustrate the issue in kind of a graphical format.  
4 So working bars left to right, the green bar represents  
5 the total capital costs or the construction costs  
6 associated with the different projects, which are the  
7 West Wing, the iMRF, and the trash processing plant.  
8 And the last set of bars is the total over the  
9 three projects that are contemplated in the rate  
10 application. The yellow bar represents the O.R. that we  
11 receive --  
12 **Q. Let's stop just for one second.**  
13 A. Sure.  
14 **Q. Let's just use the West Wing as an example.**  
15 A. Okay.  
16 **Q. So the green bar, again, the West Wing is  
17 what?**  
18 A. Is the construction cost.  
19 **Q. And that is approximately \$16 million or so as  
20 has been testified to?**  
21 A. It's about \$18 million, nearly \$19 million  
22 dollars.  
23 **Q. Okay, I misread the scale.**  
24 A. The numbers get very big very quickly, yes.  
25 **Q. Okay, good. So that's the construction cost.**

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1 **And does that include O.R.?**  
2 A. No, it does not.  
3 **Q. Does that include financing costs and tips  
4 expense?**  
5 A. It does not.  
6 **Q. Okay. So what is the yellow bar?**  
7 A. The yellow bar represents what would be the  
8 O.R. on that construction cost for that project if we  
9 were to treat this as depreciation. So it's a much  
10 smaller number as you can see than the following graph  
11 or the following bar, which is the gray bar, which is  
12 the interest -- expected interest on that capital  
13 improvement of that construction project.  
14 **Q. Okay. So in other words, for the West Wing,  
15 this is a depreciation model?**  
16 A. Correct.  
17 **Q. So the green is the construction costs,  
18 and then it assumes that the construction costs are  
19 depreciated on straight-line basis over how long?**  
20 A. For that particular project, 20 years.  
21 **Q. 20 years? And then the yellow is the O.R.  
22 that Recology would earn on that expense depreciation  
23 over a cumulative 20-year period; is that right?**  
24 A. That is correct.  
25 **Q. And then the gray is how much interest**

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1 **Recology would pay, assuming a 3% rate if it borrowed**  
2 **the money to pay for that construction?**  
3 A. That's correct.  
4 **Q. And then what does the red show us?**  
5 A. The red is the difference between interest  
6 expense less the O.R. on using the depreciation method.  
7 So effectively, this is the quote, unquote, "loss" that  
8 we would incur if we were not to use a lease financing  
9 mechanism on that particular.  
10 **Q. And why would lease financing as opposed to**  
11 **depreciation protect you from the loss in red?**  
12 A. Essentially, the gray bar, we would get  
13 recovery on that gray which is the interest expense;  
14 so we would include that as a piece of our recovery.  
15 **Q. So in other words, the amount that you would**  
16 **pay as an annual lease expense includes not only the**  
17 **construction cost, but also the financing that is**  
18 **required to get the money to build the building?**  
19 A. Correct.  
20 **Q. And that same pattern of the green, yellow,**  
21 **gray and red is depicted here for the Contingent**  
22 **Schedule, the iMRF?**  
23 A. Yes.  
24 **Q. And also for the trash processing facility?**  
25 A. That's correct.

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1 **Q. And then the total?**  
2 A. Correct.  
3 **Q. Now, what is Exhibit 101?**  
4 A. 101, I believe, is Julia Dawson's request.  
5 She wanted a narrative to kind of describe the rationale  
6 from using a lease method versus depreciation. And so  
7 we've written the narrative to help kind of reinforce  
8 the items that have already been discussed as part of  
9 these hearings.  
10 **Q. Can you summarize that for us, please?**  
11 A. Sure. Depreciation is a method that would  
12 recover the cost of construction, but not the financing  
13 costs; so depreciation is designed to compensate for the  
14 risk of capital, not for the cost of financing.  
15 Two, this is a historical practice for  
16 previous projects of a similar nature such as the  
17 original iMRF, lease financing was used, and so we're  
18 just asking to continue that practice.  
19 And then lastly, it's a reasonable return  
20 associated with the risks of each project and is  
21 required to cover the cost of financing these  
22 construction projects.  
23 MR. BAKER: Okay. This is a very important  
24 issue to Recology, which is the reason we've spent time  
25 on it, and the Staff Report did ask that Recology

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1 provide further justification demonstrating the need for  
2 this change in financial treatment and to certify that  
3 the leases are booked at market-comparable rates with  
4 zero profit accruing to Recology's leasing company as  
5 recommended in the 2006 Director's Report; so this  
6 language that I just paraphrased was in the Staff Report  
7 for the West Wing and the two contingent projects.  
8 The letter that was requested was provided from the  
9 Chief Financial Officer, Mr. Lamele of Recology, the  
10 parent company, is Exhibit 83.  
11 So I just wanted -- now that Mr. Porter is  
12 here and has provided us additional testimony, I just  
13 want to ask Staff whether there's any other information  
14 that Staff requires or any other questions Staff would  
15 like to ask to address the comment in the Staff Report  
16 that further justification was desired.  
17 MS. DAWSON: I don't have any additional  
18 information I think needs to be provided, but I do want  
19 to just make sure we're clear for the public that what  
20 this means in effect is that there's no O.R. on these  
21 leasing costs. So there's a shift with the chart that  
22 you were introducing. You were essentially showing  
23 there was a loss because the O.R. that you were unable  
24 to capture wouldn't cover the expense of the financing.  
25 In the new scenario, you're allowed to pass

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1 through the entire cost of the financing, but you don't  
2 earn any O.R.; so it reduces your risk on that side, but  
3 it also doesn't allow for that profit. So I just want  
4 to make that clear.  
5 MR. BAKER: That's a good summary.  
6 BY MR. BAKER:  
7 **Q. Is that true, Mr. Porter?**  
8 A. I would maybe make more of a nuanced comment  
9 in the sense that it's not O.R., there's just no profit  
10 on the leasing -- built-in profit on the leasing  
11 mechanism. So our leasing entity that, you know,  
12 Recology has created does not get any profit on the  
13 financing of these facility developments.  
14 **Q. So there's no double-profit?**  
15 A. Correct.  
16 **Q. But there is an O.R. on the expense --**  
17 A. Yes.  
18 **Q. -- that the lease payments that Recology pays**  
19 **under the lease financing structure?**  
20 A. Correct.  
21 **Q. Have we --**  
22 MS. DAWSON: Just one other point of  
23 clarification. When Recology is running its lease  
24 financing, it is still going to the market for those  
25 borrowing costs?

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1 THE WITNESS: That's correct.  
2 MS. DAWSON: It's not the "Bank of Recology,"  
3 it's a commercial institution. And Recology is subject  
4 to those market fluctuations?  
5 THE WITNESS: That's true.  
6 MS. DAWSON: But at the same time, it can also  
7 search around for the best cost to borrowing?  
8 THE WITNESS: Yes, that's correct. I guess  
9 one further point is the methodology that's used to  
10 create the interest expense was prescribed, I believe,  
11 as part of the 2006 Director's Report. And that  
12 methodology continues to be used in this application and  
13 will be used moving forward as well.  
14 BY MR. BAKER:  
15 **Q. And it's used in this application regard to**  
16 **equipment purchases, but also with regard to these three**  
17 **capital construction projects?**  
18 A. That's correct. And so the reason I say  
19 that is just to kind of further add on to Ms. Dawson's  
20 comment that the methodology prescribed in the 2006  
21 Director's Report requires us to use market lease rates.  
22 And so I'm just kind of further adding to that.  
23 MR. BAKER: Thank you.  
24 Any other questions from Staff on that point?  
25 DIRECTOR NURU: Okay. Mr. Haley has a

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1 question.  
2 EXAMINATION  
3 BY MR. HALEY:  
4 **Q. A little while ago you were talking about**  
5 **premium charges on shared service, and I just want to**  
6 **clarify. I think you were really talking about**  
7 **splitting bills.**  
8 A. That's correct.  
9 **Q. And so there is not a premium charge on shared**  
10 **service, rather there is a premium charge on splitting**  
11 **the bills?**  
12 A. Correct.  
13 MR. HALEY: Thank you.  
14 MS. DAWSON: I also have some follow-up  
15 questions for Mr. Porter.  
16 EXAMINATION  
17 BY MS. DAWSON:  
18 **Q. On the subject of the rates, I just want to be**  
19 **clear. That \$5 dollar credit that you originally**  
20 **proposed to low-waste generators, that was actually not**  
21 **in any of the workshops prior to the submittal of the**  
22 **rate application, I believe.**  
23 A. I don't recall whether or not it was discussed  
24 or contemplated during the workshops.  
25 **Q. I'm pretty certain that while the initial**

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1 **workshops prior to the rate application, even the draft**  
2 **application did not include that \$5 dollar credit. But**  
3 **before submittal between draft and final, you did add**  
4 **that \$5 dollar credit?**  
5 A. I frankly don't recall when that credit was  
6 introduced into the application. You seem certain, so I  
7 will go with your recollection. It's been a very long  
8 process for me, so the timeline's getting a little  
9 blurred.  
10 **Q. Okay. I'd also like to talk a little bit**  
11 **about the \$10 dollar surcharge you mentioned that**  
12 **multigenerational households would be affected. But**  
13 **what in effect has happened with the rate structure is**  
14 **that those customers are getting a decrease in their**  
15 **rates. So the idea behind the surcharge is to keep**  
16 **people at a -- to not reduce the rates as much, although**  
17 **in fact they're seeing a far smaller increase than other**  
18 **customers even with the surcharge. Is that --**  
19 A. That's an accurate statement, yes.  
20 **Q. And so what we're really trying to achieve**  
21 **with the surcharge is to bring those customers to have**  
22 **at least not a decrease in service -- though not as big**  
23 **an increase as the smaller waste-generating customers,**  
24 **but also give them an incentive to reduce.**  
25 **Now, if they can't reduce, given that they're**

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1 **not seeing as large a rate increase as other customers,**  
2 **it seems to me that even if they have multigeneration**  
3 **and they're unable to reduce, they're not seeing as big**  
4 **an impact and they're still on the lower side of the**  
5 **average increase than most customers. Is that fair?**  
6 A. That is, again, an accurate statement, I would  
7 say.  
8 **Q. Okay. And then back to our favorite topic,**  
9 **the split bill.**  
10 A. Okay.  
11 **Q. So how many split bills do you currently**  
12 **process in a billing cycle? Do you have a sense of**  
13 **that?**  
14 A. I don't have the exact number in front of me.  
15 I believe it's around 6,600.  
16 **Q. And have you -- I know you're still**  
17 **considering options and I imagine there will still be**  
18 **discussion on this item to figure out what seems like a**  
19 **fair solution, but we're wondering if you've considered**  
20 **just kind of a simple administrative fee to cover the**  
21 **split bill expense. You know, split bills seem like an**  
22 **administrative cost rather than being related to the**  
23 **fixed charge. So is splitting the bill essentially just**  
24 **a fixed cost regardless of the type of service somebody**  
25 **gets? I'm just trying to understand the way in which we**

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1 **should be trying to think about these additional costs.**  
2 A. So you're wondering about the underlying costs  
3 associated with administrating each account?  
4 **Q. Yeah, and that might be fixed. You know,**  
5 **if you're always having to adjust for doing two bills,**  
6 **there's a certain fixed cost to that to splitting them.**  
7 **When one out of those units is vacant, there's a cost of**  
8 **making sure you know where to apply that vacant unit**  
9 **until it's filled again. I'm trying to understand**  
10 **whether there might be a way to establish this as a**  
11 **fixed cost. I think the concern is right now it's a**  
12 **percentage.**  
13 A. Mm-hmm.  
14 **Q. And that percentage, as the fixed part of the**  
15 **rate goes up versus the variable, that percentage is**  
16 **growing. It's growing on this bigger base and it seems**  
17 **like it's perhaps outgrowing what is a reasonable cost**  
18 **to provide this kind of service, and so I think that's**  
19 **really what we're interested in exploring.**  
20 A. I understand. To answer your question  
21 directly, no formal study has been performed associated  
22 with how much money does it cost in a year to administer  
23 all of these split accounts. You know, what I would say  
24 the is that it is a substantial effort in managing these  
25 accounts and some of the compliance issues that have

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1 been brought up during this discussion are a result of  
2 these split accounts.  
3 So for example, I have two-unit building, two  
4 inhabitants. They have a 32-gallon. One person moves  
5 out. You know, that account is closed; now we have to  
6 go find that other account, remove the split. That  
7 customer calls, says, "I don't want my 32-gallon trash.  
8 I want a 20-gallon trash." Now, a new inhabitant moves  
9 in. Now we've got two people living in a building with  
10 a 20-gallon trash. It's upon them to call us and tell  
11 us that someone's moved in. So in the event that they  
12 do that, then we have to exchange the cart, get them  
13 a new cart, all for someone moving in and out of a  
14 building, which happens in San Francisco quite often.  
15 And so if you include those types of costs  
16 in the split bill process, it is not insignificant in  
17 terms of labor. So I would say a one fixed-dollar  
18 administrative charge would be very difficult for us to  
19 kind of come up with because it all is dependent on  
20 facts and circumstances. And so -- and then on top of  
21 that, I think it also would be a challenge to  
22 administer.  
23 So to answer your question, no, we have not  
24 considered just a fixed-dollar amount to kind solve this  
25 solve this problem, if you will.

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1 **Q. In hearing you talk about this, I think**  
2 **I would say that we might want to look at -- maybe**  
3 **there are ways to look at the different charges.**  
4 **For instance, isolating what you're doing for the**  
5 **charging of the bill from starting and stopping service.**  
6 **Maybe there needs to be a charge specific to that for**  
7 **these units to recognize that there's logistical issues**  
8 **with you starting and stopping service and desegregating**  
9 **those.**  
10 **Because I think what's happening, as I said,**  
11 **the rate shift that you're accumulating costs on a**  
12 **constant basis that's not really real. But when you**  
13 **these changeovers, maybe we need to look at a cost to**  
14 **adjust for that. So I'm trying to be sensitive to your**  
15 **administrative issues, but I think we need to look at it**  
16 **a different way of potentially moving these costs**  
17 **around?**  
18 A. We are definitely open to an alternative  
19 structure for this and happy to work with you on that.  
20 My only ask is that we find a solution that is simple  
21 for the customer to understand and that also simple for  
22 us to administer and easy for us to kind of track to  
23 ensure that we don't have compliance issues, to make  
24 sure we're not spending a lot of time and energy  
25 flipping carts when it's not necessary. Those types of

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1 things.  
2 MS. DAWSON: Acknowledged.  
3 DIRECTOR NURU: Any other cross-examination on  
4 any topic? Yes, you want to cross-examine.  
5 Ratepayer Advocate.  
6 EXAMINATION  
7 BY MS. DILGER:  
8 **Q. Hi. On the same topic, did you consider --**  
9 **as Julia just mentioned; I'll just echo her a bit --**  
10 **transaction fees for changes as well as some kind of**  
11 **transfer of service? With most utilities, you can call**  
12 **and have service transferred.**  
13 A. So on your first question, so you're asking  
14 basically what Julia's idea of a cost for each bin  
15 change or something along those lines. Is that what  
16 you're asking?  
17 No, we had not considered that as an option  
18 yet. Again, we're open to talking about that and  
19 considering that. And then to your second question,  
20 you'll have to repeat it. I apologize.  
21 **Q. If people are moving within the city, can they**  
22 **transfer their service? And would that be a lower**  
23 **administrative cost?**  
24 A. That's an interesting question. No, we have  
25 not talked about that yet. Our database actually uses

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1 both an account number and address number. We like to  
2 track buildings and properties by their address. And so  
3 when someone closes their account with us, we typically  
4 like to close that account and not transfer it. Because  
5 in terms of administering properties and servicing  
6 properties, it's important that we know exactly where  
7 that customer is.  
8       So if we were to transfer an account to a  
9 different address, service address, we would then need  
10 to change route that they're on, make sure their service  
11 is matched, and so on, and that could result in errors  
12 that we would like to avoid. So while I agree that  
13 transferring your service like you would with Comcast or  
14 something along those lines, it would be preferable  
15 right now administratively. It's not something that I  
16 think we'd like to pursue, but definitely something we  
17 would like to consider and try to work with in the  
18 future.  
19       **Q. It seems like there may be some overlap**  
20 **between the increase dwelling unit charge of \$20 dollars**  
21 **per unit as well as the 50% percent premium for shared**  
22 **buildings. Have you calculated how this could be**  
23 **overlap for certain customers?**  
24       A. You know, I think that shared accounts are  
25 very a small minority of our customers. 6,600 accounts

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1 with 168,000 customers in San Francisco is a fairly  
2 small number overall, so I don't know that it would  
3 have a significant impact, that unit charge, on that  
4 particular subset. There's very distinct costs  
5 associated with split bills that I think are separate  
6 from that unit charge that we've contemplated under this  
7 proposed rate.  
8       **Q. So you mentioned you don't have a proposal to**  
9 **introduce today. Do you have a deadline for when you'll**  
10 **have one?**  
11       A. Well, I would expect we'd need to have  
12 something agreed upon before the Director's Report, so  
13 we've got a week or so to come up with something.  
14       MS. DILGER: Okay. Thank you.  
15       DIRECTOR NURU: Okay. Actually, I'll ask the  
16 Ratepayer Advocate. Do you have any additional  
17 questions that you would like to address to the  
18 Companies or the Staff at this time or additional  
19 comments or exhibits you would like to add to the record  
20 on behalf of the public?  
21       MS. DILGER: I do have one final exhibit to  
22 introduce.  
23       We're introducing a summary of our outreach  
24 efforts. It's an expanded version of what we submitted  
25 a couple of hearings ago. As you know, Ratepayer

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1 Advocate has been doing extensive community outreach to  
2 community organizations, online, in multiple areas of  
3 distribution to inform ratepayers of the proposed  
4 changes, to answer their questions where possible, and  
5 to convey their thoughts and feelings and concerns in  
6 these hearings and also in reports to Public Works.  
7       What you'll see is, as I said, similar to what  
8 we introduced before, but a little more expanded. It's  
9 a list of the neighborhood organizations where we did  
10 presentations. There are about 60 of them, I believe.  
11 We also did community presentations to some citywide  
12 stakeholder organizations, police station community  
13 meetings -- because it's a wonderful gathering place for  
14 people even though it's not necessarily a police issue,  
15 and then some additional distribution via the Board of  
16 Supervisors newsletters and some other community  
17 resources.  
18       Additionally, we did some media outreach. We  
19 advertised in 13 local and multilingual newspapers with  
20 a collective readership of about 22,000 people. We also  
21 had a website that we updated regularly and did both  
22 paid and voluntary social promotion on social media via  
23 Facebook. We resulted in 195 likes, which I'm actually  
24 quite proud of on Facebook, and reached over 19,000  
25 Facebook users. You'll see a list of the print and

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1 media advertisements we did and in which publications as  
2 well as the links to all of our social media.  
3       To gather ratepayer input, we went all over  
4 the city in all 11 districts -- and as we said, some  
5 citywide organizations -- and we also staffed the  
6 telephone number, the e-mail, and the website. I would  
7 say that in the beginning we got mostly some concerns  
8 and questions, and it really gave the ratepayer team an  
9 opportunity to communicate with people because by and  
10 large, I would say almost everyone that contacted us  
11 was confused on some level. It's a complicated process.  
12 But I think that we really had an opportunity to  
13 communicate the process and also the rate itself.  
14 And in the end we often ended up with people who were  
15 still opposed to either part or all of it, but most  
16 people walked away feeling that they had better  
17 information in their hands.  
18       We've already gone over some the common themes  
19 in feedback from before that helped inform the Staff  
20 Report, but they have not changed as this proceeding has  
21 gone further. The most common themes and feedback that  
22 we've had are the general cost of living. There are a  
23 lot of concerns with ratepayers that this increase is  
24 double digits and much more than most people make,  
25 whether it's on a fixed income or even in the private

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1 sector. It's higher than what people are comfortable  
2 paying even though they understand a lot of the changes  
3 and their justifications. I think we've done a lot to  
4 address some of these disproportional impacts and  
5 throughout to see some of the recommendations that  
6 Public Works has made for especially low-waste  
7 generators, two-to-five-unit building residents, and  
8 also the recommendations in the Staff Report to raise  
9 that income level for seniors and those on fixed  
10 incomes.  
11 As far as minimum service and pickup  
12 requirements, I think that it kind of goes hand-in-hand  
13 with low-waste generators. There's still a number of  
14 ratepayers who feel that they are being unduly impacted  
15 and would like to have the level of their service more  
16 reflective in the change of their rate. As we've seen,  
17 it will impact them a bit more than others. And I think  
18 that there is still some outreach and communication work  
19 to be done, and hopefully in the future some policy work  
20 to be done to maybe change our standards as we do get  
21 closer to the reality of zero waste.  
22 Apartment and commercial rates, not as much  
23 feedback in general. But I think that the individual  
24 ratepayer in a single-family residence or in a two-to-  
25 -five-unit building wants to know more about how their

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1 rates are supporting the needs of these buildings,  
2 especially as we've learned with the development impact  
3 of new apartments coming online and Recology stating  
4 that they don't intend to make any money on that because  
5 of the increase of routes. We wonder if there's some  
6 kind of development change, something that has to do  
7 with one building. Is there an impact for how this does  
8 impact refuse rates the same way it might transit?  
9 Of course, our most common feedback in comment  
10 at any public meeting is the question of pilfering and  
11 enforcement. I think part of this is giving the  
12 community access and doing more outreach and education,  
13 but also maybe working within city departments to up the  
14 enforcement more than anything.  
15 As far as the public process, we've all been  
16 here now for many meetings, so I think that that part is  
17 pretty clear. I would recommended later start times, if  
18 possible, for the average person.  
19 We've heard a lot about outreach education.  
20 For the new programs that will be funded through  
21 Department of Environment, we've heard very few  
22 specifics and I think that a lot of ratepayers are  
23 eager to do the work themselves and it may be worth  
24 empowering them to give them an opportunity to do that.  
25 Zero waste, we've talked a bit about the

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1 refunds and rebates as well as the incentives. I think  
2 that most ratepayers see that dollar amount on their  
3 bill and they want it to come back to them. Whether  
4 that's a larger conversation or not, I think that the  
5 impact of seeing that dollar amount is meaningful to  
6 them.  
7 And then in the end, there's the same  
8 recommendations that we made for the Staff Report.  
9 Those have not changed, but I am pleased to see how this  
10 process has gone and I am thankful for the opportunity  
11 to represent the voice of the public.  
12 MR. PRADHAN: Thank you. And the memo you  
13 have circulated will be marked as 102.  
14 (Exhibit 102, "Memo from Ratepayer Advocate  
15 to DPW Director [Ratepayers]," was admitted  
16 into evidence.)  
17 MS. DILGER: Thank you.  
18 DIRECTOR NURU: Okay. At this time, I will  
19 allow for final examinations from either the Department  
20 or the Companies.  
21 MR. BAKER: We have one -- I have one  
22 housekeeping thing that I'd like to take care of.  
23 DIRECTOR NURU: Okay.  
24 MR. BAKER: Recology's rate model includes  
25 revenue projections for payments from CalRecycle under

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1 the California bottle bill. And in the summary of  
2 assumptions for Recology San Francisco that were part of  
3 the application, Recology noted the possibility that the  
4 bottle bill might be changed and noted discussions  
5 currently underway in Sacramento addressing that  
6 subject. And the possibility that if the bottle bill  
7 was amended, that it could change the way that  
8 collectors and processors like Recology are paid and how  
9 much they're paid.  
10 So in the summary of assumptions submitted as  
11 part of the application, Recology suggested that the  
12 Director consider a mechanism to address a possible  
13 change in the bottle bill as part of the annual COLA  
14 adjustment. There's been no testimony on that subject  
15 from any of Recology's witnesses nor from the City's  
16 witnesses, but the Staff Report does mention the fact  
17 that Recology had included this in its application.  
18 On reflection, Recology would like to withdraw  
19 that request. In thinking through how an adjustment  
20 like this might work, Recology concluded that it could  
21 be too complicated to deal with as part of the annual  
22 COLA adjustment and it also might not be consistent with  
23 the Ordinance itself; so Recology is withdrawing that.  
24 As everybody knows, there are mechanisms to address  
25 changes that occur between rate hearings. Recology,

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1 the City or anybody else can apply for a new rate  
2 hearing. There's a reserve fund under the new landfill  
3 agreement as a general matter that addresses certain  
4 situations that might arise.  
5 So there are various mechanisms to deal with  
6 things that occur between rate hearings, and Recology  
7 thinks it's best that even though it made the  
8 suggestion, that the suggestion not be pursued and is  
9 withdrawing it. So thank you.  
10 And we have no further witnesses and no  
11 further comment.  
12 DIRECTOR NURU: Thank you. I'll ask the  
13 Department. Anything?  
14 Okay. I will then proceed to public comment.  
15 I would like to open the public comment  
16 period. Could everyone wishing to speak please give me  
17 a show of hands so I can allow time for everyone who  
18 wants to speak.  
19 Okay. I'll allow five minutes per person for  
20 public comment. Since this is public comment only, you  
21 do not need to be sworn in unless you also intend to  
22 present material you'd like to have placed into the  
23 record. If that is the case, I will have our clerk  
24 swear you in. Also, when you come forward, please state  
25 your name so that the court reporter can enter it into

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1 the record.  
2 Thank you. And let's proceed with our first  
3 speaker.  
4 PUBLIC COMMENT BY MAXIMILIENNE EWALT  
5 MS. EWALT: Hello, hi. I do have my letter to  
6 submit, my personal letter. Is that something I need to  
7 give to you? But I was just going to read it if I have  
8 five minutes.  
9 DIRECTOR NURU: You're welcome to.  
10 MS. EWALT: My name is Maximilienne Ewalt  
11 and I'm a ratepayer. I live in San Francisco in the  
12 Ingleside district and I just found out recently how  
13 this is going to affect me because it took me a while to  
14 find out. So I just wrote:  
15 "To whom it may concern,  
16 "I'm writing to you to ask you to  
17 reconsider the almost 50% rate increase that  
18 I am being asked to pay as a Sunset Scavenger  
19 customer in San Francisco. I have been a  
20 dedicated recycler for decades. I have  
21 enclosed a recent bill to show that I already  
22 have the bare minimum storage capacity bins  
23 that you provide. I requested this myself  
24 long before this rate increase was on the  
25 table.

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1 "Every, week my 20-gallon black bin is not  
2 even 25% full. My blue bin is usually full,  
3 and I keep my own garden compost for  
4 gardening; so my 32-gallon green bin has even  
5 less than my black unless I'm going to do some  
6 yard work, then my green bin is full of weeds  
7 and gets picked up maybe ten times per year.  
8 "My garbage could be picked up about every  
9 other week and it still wouldn't be full. I  
10 will be reducing my black bin to the 16-gallon  
11 size as well, so I do not feel it's fair for  
12 me to be charged this. When I calculated it  
13 was 50%, but it looks like there's been a  
14 rebate of \$5 dollars. It's a bit less.  
15 "More for something that I already do,  
16 over and above what you are trying to get  
17 everyone else to do. It feels like I'm being  
18 penalized. I have also been and continue to  
19 be diligent about taking anything and  
20 everything that I can to places like SCRAP who  
21 reuse items that most people throw out, such  
22 as wine bottle cork caps, Styrofoam chips,  
23 baskets, plastic flower pots -- I don't put  
24 any of this in my bin and I never have.  
25 "So instead of filling up my black bin

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1 with such things, I have also been an avid  
2 water recycler even before the drought and I  
3 had a gray water system installed. My water  
4 bill is down to \$20 dollars a month. It's  
5 well below the utilities conservation target  
6 for individuals. For years before the  
7 drought, I saved my bath and shower water and  
8 siphoned it out to water my garden in dry  
9 periods. And I do this not to save money, but  
10 because I believe in the power and need to  
11 reduce our waste of resources.  
12 "So I thank you for the opportunity to  
13 weigh in and to voice my concern and that I  
14 hope you will reconsider overcharging  
15 customers like myself. I do understand the  
16 big picture and I do support a zero waste  
17 garbage target, but a 50% rate increase way  
18 too much too fast, especially for those of us  
19 who already have greatly reduced our waste."  
20 I also want to just add that I learned today  
21 that, I guess, people who have higher waste, they're  
22 getting a decrease; so that makes me feel even more  
23 penalized, and that is not fair. The last increase,  
24 I think, was 4 years ago, so it hasn't been all that  
25 long ago that there was an increase. When I get a raise

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1 in my job, I maybe got a 2% rate or 3% percent the most,  
2 so this is like huge. More than people getting  
3 increases in their jobs.  
4 So I also -- just to let you know, I always  
5 used both sides of paper. Like, even some paper that's  
6 here today could be used on both sides. So you know,  
7 everybody has to do their part.  
8 What else? Oh, so I heard you say to the  
9 gentleman that he didn't know how many people lived in a  
10 house. I think that really -- you should know how many  
11 people are living in a house and they should be charged  
12 appropriately.  
13 The other thing I thought of is in my  
14 neighborhood, there's a lot of those people who dump  
15 stuff illegally on the streets, and there's corners  
16 where it happens all the time. And I was just wondering  
17 if anyone's thought of maybe giving a discount to the  
18 people who live on the corner and they could put a  
19 camera and then catch these people and they can be  
20 fined. I mean, this happens all the time. All the  
21 time.  
22 So thank you very much. That's all I have to  
23 say.  
24 DIRECTOR NURU: Thank you.  
25 MS. EWALT: And I can give you my letter.

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1 MR. PRADHAN: We will admit the letter as  
2 Exhibit 103.  
3 (Exhibit 103, "Letter from M. Ewalt to  
4 DPW Director [Public]," was admitted  
5 into evidence.)  
6 DIRECTOR NURU: Okay. Our next speaker,  
7 please. Is that it for public speaking?  
8 PUBLIC COMMENT BY DAVID PILPEL  
9 MR. PILPEL: David Pilpel. Several things.  
10 I would anticipate that the Director's Report  
11 is due Friday, May 12th, close of business, and that  
12 will be posted on the website and we'll go from there as  
13 to whether anyone's going to appeal it to the Rate  
14 Board, but I'm looking forward to a comprehensive  
15 Director's Report building on the Staff Report, but also  
16 filling in a lot of areas that weren't addressed there  
17 including some of the public comments.  
18 One of the things that I've been thinking  
19 about is the quarterly reports, and I understand that  
20 Staff and the consultants are looking very carefully at  
21 what additional items to require in the quarterly  
22 reports and some changes to current reporting so that  
23 the City and the public has a better sense of what's  
24 been accomplished both financially and programatically  
25 over the next likely four years.

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1 As part of that, I think that there should be  
2 public review at least the 30 days that were suggested  
3 in the Staff Report for proposals to use the ZWI funds  
4 and as was just suggested by Mr. Baker, the use of  
5 reserve funds. Any sort of major financial proposals,  
6 I think, should have a 30-day public review prior to any  
7 action by you as the DPW director to authorize using  
8 your powers.  
9 I intended to introduce an exhibit today and  
10 unfortunately, I brought the wrong exhibit; so if we  
11 could reserve an exhibit. It's a five-page memo from  
12 July of 2015 that was approved by the Commission of the  
13 Environment relating to the use of the impound account  
14 funds at Department of the Environment. Unfortunately  
15 I brought the 2007 guidelines, but it's a five-page memo  
16 as I've described.  
17 Can we do that?  
18 MR. PRADHAN: That's fine.  
19 How will you get that to us?  
20 MR. PILPEL: I'll get it to Julia and she'll  
21 broadcast it to the world. Fair enough?  
22 MR. PRADHAN: That's fine. Assuming we  
23 receive it, we'll admit it as Exhibit 104.  
24 ///  
25 ///

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1 (Exhibit 104, "SFE Memo to Commission on  
2 Environment [Public]," was admitted into  
3 evidence.)  
4 MR. PILPEL: Okay, thank you.  
5 DIRECTOR NURU: Can you make sure we get that  
6 today?  
7 MR. PILPEL: Yes. Today or tomorrow?  
8 DIRECTOR NURU: Today.  
9 MR. PILPEL: We'll make it happen.  
10 The question that came up earlier about  
11 the rate structures and the impact on large- and  
12 small-volume generators, it seems to me that we've  
13 discussed that at prior hearings here in the past years,  
14 and this has come up in water and sewer rates and other  
15 rate-setting contexts. As I understand it, there's a  
16 concept known as an "inclining block rate," where the  
17 more you use, the more the charge at that higher usage  
18 level or a "declining block rate," where you would pay  
19 less per unit if you use more or a "constant block  
20 rate."  
21 And there are advantages and disadvantages.  
22 There's a conservation basis for an inclining block  
23 rate. There's a cost of service argument for a constant  
24 block rate. It cuts different ways, and I think that  
25 you have discretion for how you set it and it depends on

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1 competing factors and which particular policy objectives  
2 we're trying to accomplish. For example, the large  
3 household \$10 dollar charge that was suggested, I  
4 believe John Porter spoke to large households and how  
5 they might have disproportionate or different sorts of  
6 impacts there.  
7 I would counter by saying that a large  
8 household that has multiple individuals is only paying  
9 the same unit charge, and presumably they're generating  
10 either additional or BIR calls or AMC needs or HHW.  
11 There are other programmatic needs that are buried in the  
12 unit charge that aren't captured for large households.  
13 So it seems like a \$10 dollar surcharge tends to work in  
14 a meaningful way to change behavior and accommodate the  
15 additional costs for servicing large accounts; so I  
16 think that makes sense. And if that's just built into a  
17 64-gallon black container, that might be the way to do  
18 it. I think the Company needs to have a way to  
19 implement that that doesn't just apply to 32-gallon  
20 containers, which would apply to everyone.  
21 The question of transferring service and all  
22 the discussion about split bills, I don't think we have  
23 time in the next week to sort out all of that. But I  
24 think the report could ask the Company to explore how  
25 the SFPUC and PG&E handle the transferring of service --

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1 bearing in mind that there's some issues here because  
2 failure to pay a garbage bill results in a lien, so it's  
3 a property-based charge as opposed to a service charge  
4 like cable TV or other sorts of things. But that's  
5 certainly something to explore, and in the future,  
6 I think we should be more consistent with other  
7 utilities where that makes sense and different -- where  
8 that makes sense, and that's something to explore.  
9 The other point I would make about split  
10 bills, and I think Tom Williams made this point earlier  
11 at a previous hearing, is that although there are  
12 additional costs for split bills as was discussed, there  
13 are also some increased efficiencies by only making one  
14 lift rather than two. That's a savings to the system.  
15 I mean, the more material -- not necessarily the more  
16 material, but the material that we can pick up with  
17 fewer lifts, that improves efficiency.  
18 I've asked many times and continue to ask for  
19 a 16-gallon blue and green. The extent to which the  
20 report talks about that and makes it happen is probably  
21 the extent to which I'm less likely to appeal to the  
22 Rate Board. I'm not saying no, but less likely.  
23 I think there should be some further  
24 discussion offline about this rate setting process,  
25 what's worked, what hasn't, the role of the Ratepayer

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1 Advocate -- which definitely has improved in this cycle,  
2 but there's still things we could tweak and improve  
3 there -- and the roles and responsibilities of everyone  
4 involved: the City players, the consultants, Recology,  
5 the Ratepayer Advocate, people like me or maybe just me.  
6 And finally, I would just ask that we think  
7 carefully about the diversion programs and the ZWI  
8 targets and whether we're really being realistic here.  
9 Are we going to get to zero waste? This \$100 million  
10 dollars of increased investment, is that going to move  
11 us in the next four years another 10%? Is that  
12 realistic? Is that, you know, should we be going  
13 faster? Should we invest more? Should we invest less?  
14 Are there other ways to do it? There's no -- I mean,  
15 there's science in some of this, but a lot of it is  
16 really art and how much commitment the Companies, the  
17 City, the ratepayers have to getting to zero waste and  
18 doing that in a cost-effective way; so I would just ask  
19 that we be careful and look realistically at all this.  
20 And I thank you for all of your time.  
21 Certainly everyone else in this process and in the  
22 unlikely but possible event that Mike Baker isn't doing  
23 this again in four years, I wanted to thank him for  
24 being a responsible advocate for the Company, but also  
25 decent person to work with over a number of years at

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1 many of these rate processes. And I just wanted to  
2 thank him on the record.  
3 And with that.  
4 DIRECTOR NURU: Thank you.  
5 All right. Do we have any other speakers?  
6 Yes? Please make sure you fill out the  
7 speaker's card so we know who.  
8 PUBLIC COMMENT BY MAURICE BIZZARRI  
9 MR. BIZZARRI: Good morning.  
10 I already filled this out there, but I'll fill  
11 it out again. My name is Maurice Bizzarri, and I am the  
12 president of the HOA at 50 Lancing Street, and I have  
13 the board approval to speak as the president of the HOA  
14 representing the 82 units. I have prepared remarks and  
15 I have e-mailed this to you, and I've also mailed my  
16 official protest which hopefully will get to you.  
17 I took the time to do a spreadsheet to model  
18 the rate increases. I could not find one online. If  
19 there is one online, I just found broken links; so it'd  
20 be nice to have one next time for multi-unit buildings.  
21 But I did took the time to do my own spreadsheet and I  
22 analyzed it and my -- the cost for our building are  
23 going up from \$3,000 dollars a month to \$4,000 dollars a  
24 month under the current proposed scheme, about 33%.  
25 And I further analyzed to understand that the

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1 majority of the increase comes from the mandate increase  
2 going from 10% to 25%. And I think that, from what I  
3 understand, you're all interested in ramping up and this  
4 is a number that needs to be ramped up. And I have put  
5 in my documents -- I modeled for me a ramping up of the  
6 increase starting at 15% and going to 25% over four  
7 years and how it affected my building, and I think this  
8 is a better ramp up that we can live with. But it's  
9 just ridiculous to go from 10% to 25%.

10 The whole intent of the program is to change  
11 people's behavior, and we get the message. We're going  
12 to put in place a program to reduce our refuse and  
13 increase our recycling. We're at about 50% now. We  
14 have about a little bit over 50% recycling and  
15 composting and we'll try to do better, but it's hard  
16 with 82 units. People come and go, mostly renters --  
17 well, 33% renters and then the rest are owners and  
18 people come and go. So a lot of part-time owners.

19 Anyway, thank you for your time, and please  
20 accept this document. Like I said, I e-mailed this to  
21 you already, but you might as well take the --  
22 Thank you.

23 MR. PRADHAN: The document is admitted as  
24 Exhibit 105.  
25 (Exhibit 105, "Letter from M. Bizzarri

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1 to DPW Director [Public]," was admitted  
2 into evidence.)

3 DIRECTOR NURU: Next speaker, please.

4 PUBLIC COMMENT BY TRACY THOMPSON

5 MS. THOMPSON: Hi, good morning. My name is  
6 Tracy Thompson and I want to just say one important  
7 thing, is that it's important for all of us to be able  
8 to control our bills, and we can do that with our PG&E  
9 and our water. We decide how much to use in our monthly  
10 payment, basically, and we can be conservative or not.  
11 But with this application, I feel like there's no way to  
12 control our bill here whether generate a lot of trash or  
13 not, and I think that's important.

14 And I know this has been discussed before, but  
15 the PG&E base service charge is about \$10 dollars and  
16 the base service charge for water is about \$10 dollars  
17 for delivery. And I know that garbage is a different  
18 template, but still, the base service charge at  
19 \$20 dollars is double that. And again, people want to  
20 be able to control their bill; so a lot of people are  
21 not on board with this rate application proposal.

22 Thank you.

23 DIRECTOR NURU: Thank you.  
24 Any other speakers?  
25 Okay. If that's our last speaker, I will now

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1 close public comment.

2 Okay. It appears that we have covered the  
3 items on the agenda; so I will now officially close the  
4 Director's Hearing on Recology's 2017 Application for an  
5 Increase in Residential Refuse Collection and Disposal  
6 Rates.

7 I want to thank Recology for a very clear  
8 presentation of the application and for providing  
9 additional information and explanations in response to  
10 our questions.

11 I'd like to thank City staff and their  
12 consultants for your in-depth review of the application  
13 and for your examination of the underlying assumptions  
14 and factors that go into determining fair and reasonable  
15 rates.

16 Mr. Robert Haley and staff from the Department  
17 of the Environment has demonstrated their considerable  
18 expertise and understanding of municipal solid waste  
19 management issues.

20 I'd like to acknowledge Julia Dawson of Public  
21 Works and thank her for her leadership of the review  
22 team throughout these proceedings.

23 I also want to thank the Ratepayer Advocate  
24 for your efforts to engage and inform the public on this  
25 somewhat complicated topic. You have done an exemplary

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1 job of conveying the public's concerns in seeking  
2 greater clarity from Recology and City staff. I believe  
3 that the role of the Ratepayer Advocate has added  
4 significant value to this process.

5 Finally, I want to thank the members of the  
6 public who sat through these hours of testimony and  
7 cross-examination and are still here at the end of each  
8 day to offer public comment. Your issues and concerns  
9 are important and we will take them into consideration  
10 as I prepare my report on recommendation order.

11 The next step in the process is for me to  
12 consider all of the evidence that is before me including  
13 the original application and supporting documents and  
14 exhibits, the Staff Report, all of the testimony and  
15 cross-examination offered in these hearings, as well as  
16 public comment. Before making my recommendations, I  
17 will issue my report and amended order by May 15th. It  
18 will be posted on the Public Works website, so please  
19 check the website or the Ratepayer Advocate's website  
20 for notice of when that report is available.

21 As a final item, I will hold a Proposition 218  
22 hearing tomorrow, May 4, at 9:00 a.m. in room 416 to  
23 consider written protest. Under this provision, any  
24 residential customer or property owner may submit a  
25 written protest against the application to me. If more

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1 than half of the ratepayers file a written protest  
2 against the application by the date of the hearing, the  
3 City will not approve the application. Instructions and  
4 guidelines for the submission of written protest are  
5 available on the Public Works website.

6 Again, I'd like to thank you for participating  
7 in these proceedings. Let the record now show that we  
8 are closed and adjourned.

9 Thank you.

10 (Ending time: 10:05 a.m.)  
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1 REPORTER'S CERTIFICATE  
2  
3

4 I, MAXIMILLIAN A. CONTRERAS, CSR No. 13876,  
5 Certified Shorthand Reporter, certify:

6 That the foregoing proceedings were  
7 stenographically reported by me at the time and place  
8 therein set forth and were thereafter transcribed;

9 That the foregoing is a true and correct  
10 transcript of my shorthand notes so taken.

11 I further certify that I am not a relative or  
12 employee of any attorney or any of the parties nor  
13 financially interested in the action.

14 I declare under penalty of perjury under the  
15 laws of California that the foregoing is true and  
16 correct.

17 Dated this 8th day of May, 2017.  
18  
19  
20  
21

22 \_\_\_\_\_  
23 MAXIMILLIAN A. CONTRERAS  
24 CSR NO. 13876  
25

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