

October 27, 2005

**NOTICE OF OPPORTUNITY TO RESPOND TO SMALL BUSINESS
ECONOMIC IMPACT STATEMENT (SBEIS) QUESTIONNAIRE
(Due by Tuesday, November 22, 2005)**

Re: Eligible Telecommunications Company Rulemaking –
WAC 480-120-399(2), Docket No. UT-053021

TO ALL INTERESTED PERSONS:

The Commission has prepared a set of draft rules for eligible telecommunications carriers (ETCs) that address designation and certification. The draft rules are posted on the Commission's web site at <http://www.wutc.wa.gov/053021>.

Responses to SBEIS Questionnaire. The Commission requests that telecommunications companies provide information concerning whether the draft rules developed by the Commission for ETC designation and certification create additional costs for your company. The cost information you provide concerning these draft rules will assist the Commission in determining whether a Small Business Economic Impact Statement (SBEIS) is required, and if so, to assess the possible costs of the rules.

Washington's Regulatory Fairness Act, chapter 19.85 RCW, is intended to focus an agency's attention on the economic impact of proposed rules on affected businesses, involve affected businesses in developing rules, and minimize any disproportionate impact of the rules on small businesses.

Before adopting a rule that will impose more than minor costs on an industry, the Commission must analyze the compliance costs for **both large and small** businesses (including lost sales or revenue), involve small businesses in the development of the rule, take feasible steps to reduce the economic impact of the

rule on small businesses, and prepare an SBEIS. A "small business" is any profit-making entity that has 50 or fewer employees.

The Commission requests that telecommunications companies submit to the Commission **no later than 5:00 pm on November 22, 2005**, their analysis of whether the draft rules impose a cost impact on the company. Please be sure to include your company name, company contact person, contact phone number, and the number of people your company employs. For each draft rule for which you identify a cost impact, please provide, at a minimum, the following information:

1. Identify the rule number, i.e., WAC 480-123-XXXX, that you identify as having a cost impact.
2. Identify whether there is any change from the current rule to the draft rule that creates an additional cost impact on the company;
3. Explain the basis for the cost impact on the company;
4. Provide a detailed analysis of how you calculated the cost impact of the draft rule; and
5. Identify any draft rule that may create a cost savings to the company compared to the current rule.

Interested persons may submit their responses to the SBEIS questionnaire in any of the following ways:

- By e-mail to records@wutc.wa.gov;
- On a 3-1/2 inch IBM formatted diskette, in ASCII text, .pdf format, Word 97 or later, or WordPerfect versions 5.1 or later. (Responses should be labeled with the docket number of this proceeding (UT-053021) and the responder's name and type of software used.); or
- An original and ten copies of the responses.

SBEIS questionnaire responses delivered by mail or courier should be addressed to: Executive Secretary, Washington Utilities and Transportation Commission, P.O. Box 47250, 1300 S. Evergreen Park Drive S.W., Olympia, WA 98504-7250.

Information about the schedule and other aspects of the rulemaking, including SBEIS questionnaire responses, will be posted on the Commission's web site at <http://www.wutc.wa.gov/053021> as it becomes available. If you want to receive ongoing information about this rulemaking you may (1) call the Commission's Records Center at (360) 664-1234, (2) e-mail the Commission at records@wutc.wa.gov, or (3) mail a written request to the attention of Carole J. Washburn, Secretary, at the P.O. Box 47250, Olympia, WA 98504-7250.

When contacting the Commission regarding this rulemaking, please refer to Docket No. UT-053021 to ensure that you are placed on the appropriate service list or otherwise to ensure a prompt response.

The Commission appreciates your prompt consideration and response in this matter. If you have any questions or comments, please contact Bob Shirley at (360) 664-1292, or bshirley@wutc.wa.gov.

Sincerely,

CAROLE J. WASHBURN
Executive Secretary