



# PROPOSED RULE MAKING

## CR-102 (June 2004)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

**Agency:** Washington Utilities and Transportation Commission

**Preproposal Statement of Inquiry** was filed as WSR #04-17-056; or  
 **Expedited Rule Making--Proposed notice** was filed as WSR \_\_\_\_\_; or  
 **Proposal is exempt under RCW 34.05.310(4).**

**Original Notice**  
 **Supplemental Notice to WSR** \_\_\_\_\_  
 **Continuance of WSR** \_\_\_\_\_

**Title of rule and other identifying information:** (Describe Subject) This rulemaking proposal would amend WAC 480-75-240, Annual pipeline safety fee methodology, and WAC 480-93-240, Annual pipeline safety fee methodology, to change the current pipeline safety fee methodology for allocating pipeline safety program costs to regulated pipeline companies.

Docket No. P-041344

**Hearing location(s):**

Commission Hearing Room 206  
Second Floor, Chandler Plaza Building  
1300 S. Evergreen Park Drive S.W.  
Olympia, WA 98504

Date: June 15, 2005 Time: 9:30 a.m.

**Submit written comments to:**

Name: Carole J. Washburn, Executive Secretary  
Address: P.O. Box 47250, Olympia, WA 98504  
e-mail [records@wutc.wa.gov](mailto:records@wutc.wa.gov) Please include  
Docket No. P-041344 in your communication.  
fax (360) 586-1150 by May 20, 2005

**Assistance for persons with disabilities:** Contact

Mary De Young by Monday June 13, 2005

TTY (360) 586-8203 or (360) 664-1133

**Date of intended adoption:** June 15, 2005

(Note: This is NOT the effective date)

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:** The proposal changes the method by which pipeline safety fees are allocated to regulated pipeline companies. The effect will be that some companies may pay more than under the current rule and others may pay less. The rule does not change the overall amount of fee collection.

**Affected WACs:** WAC 480-75-240 and WAC 480-93-240, Annual pipeline safety fee methodology.

**Reasons supporting proposal:** The proposal is an attempt to improve the fairness and uniformity of the pipeline safety fees application by shifting to a methodology that reflects more of the relative effort expended directly on each regulated pipeline company.

**Statutory authority for adoption:** RCW 80.01.040, RCW 80.04.160, RCW 81.04.160, RCW 80.24.060, and RCW 81.24.090

**Statute being implemented:** RCW 80.24.060 and RCW 81.24.090.

**Is rule necessary because of a:**

Federal Law?  Yes  No  
 Federal Court Decision?  Yes  No  
 State Court Decision?  Yes  No  
 If yes, CITATION:

**CODE REVISER USE ONLY**

**Filed with the Code Reviser's Office**

**April 20, 2005, 10:59 a.m.**

**WSR 05-09-122**

**DATE**  
April 20, 2005

**NAME** (type or print)  
CAROLE J. WASHBURN

**SIGNATURE**

**TITLE** EXECUTIVE SECRETARY

**Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:**

The proposal would carry an effective date that would apply the new pipeline fee methodology for the first time to the 2007 fiscal year fees (for the period commencing July 1, 2006).

**Name of proponent:** (person or organization)

- Private
- Public
- Governmental

Washington Utilities and Transportation Commission

**Name of agency personnel responsible for:**

Name	Office Location	Phone
Drafting..... Tim Sweeney, Team Leader	1300 Evergreen Park Drive S.W. Olympia, WA 98504	(360) 664-1118
Implementation....Carole J. Washburn, Exec. Secretary	1300 Evergreen Park Drive S.W. Olympia, WA 98504	(360) 664-1174
Enforcement.....Carole J. Washburn, Exec. Secretary	1300 Evergreen Park Drive S.W. Olympia, WA 98504	(360) 664-1174

**Has a small business economic impact statement been prepared under chapter 19.85 RCW?**

Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone ( ) \_\_\_\_\_

fax ( ) \_\_\_\_\_

e-mail \_\_\_\_\_

No. Explain why no statement was prepared.

The proposed changes to the pipeline fee methodology rules will not result in or impose an increase in costs. Because there will not be an increase in costs resulting from the proposed rule changes, an SBEIS is not required under RCW 19.85.030(1).

**Is a cost-benefit analysis required under RCW 34.05.328?**

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone ( ) \_\_\_\_\_

fax ( ) \_\_\_\_\_

e-mail \_\_\_\_\_

No: Please explain:

The Commission is not an agency to which RCW 34.05.328 applies. The proposed rules are not significant legislative rules of the sort referenced in RCW 34.05.328(5).