

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

In the Matter of the Request of)	DOCKET NO. UG-041978
)	
PUGET SOUND ENERGY,)	ORDER NO. 01
)	
Petitioner,)	
)	
For Less Than Statutory Notice in)	ORDER GRANTING LESS THAN
Connection with Tariff Revisions)	STATUTORY NOTICE
.....)	

BACKGROUND

- 1 On November 10, 2004, Puget Sound Energy (the Company) filed with the Commission revisions to its currently effective Tariff WN U-2, designated as 132nd Revision of Sheet No. 101 – A – Tax Adjustment. City of Olympia Ordinance 6314 approves that the proposed 3.00% additional tax be submitted to a vote in accordance with RCW 35.21.870. Ordinance 6326 documents that the additional tax was approved in the September 2004 primary election. The tax creates a fund to be known as the Parks and Recreational Sidewalks Utility Tax Fund and increases the city of Olympia Utilities Tax from 6.00% to 9.00%.

- 2 RCW 80.28.060 and WAC 480-80-121 require a thirty-day notice prior to the effective date of the tariff. The tariff sheets bear an inserted effective date of December 11, 2004. This date recognizes statutory notice as required. The Company requests, however, less than statutory notice as permitted in WAC 480-80-122, and that the revisions become effective December 1, 2004. The Company stated the reason(s) for less than statutory notice is in order to pass through the change in rates coincident with the effective date established by Ordinance 6326.

- 3 WAC 480-90-194 requires notification to customers or publication of the 3.00% increase sought in this filing. Granting the Company’s less than statutory notice

request also requires an exemption from WAC 480-90-194. For the same reason(s) listed for seeking less than statutory notice, the Company seeks such an exemption from notice requirements. The Company proposes to notify affected customers in the first billing after the tariff revision becomes effective by means of a bill print message.

- 4 Since the proposed tariff revisions appear to be fair, just, and reasonable, and less than statutory notice is consistent with the public interest, it is appropriate that the Commission grant the Company's request with an effective date of December 1, 2004.

FINDINGS AND CONCLUSIONS

- 5 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington vested by statute with the authority to regulate rates, regulations, practices, accounts, securities, and transfers of public service companies, including gas companies. *RCW 80.01.040; Chapter 80.04 RCW and Chapter 80.28 RCW.*
- 6 (2) The Company is a gas company and is a public service company subject to the jurisdiction of the Commission.
- 7 (3) The Company is subject to the provisions of RCW 80.28.060 and WAC 480-80-121 requiring gas companies to file changes in any rate or charge with thirty days' notice. For good cause shown, however, the Commission may allow changes without requiring thirty days' notice by order specifying the changes to be made and the time when it shall take effect. *WAC 480-80-122.*

- 8 (4) WAC 480-90-008 provides that the Commission may grant an exemption from the provisions of any rule in Chapter 480-90 WAC, if consistent with the public interest, the purposes underlying regulation and applicable statutes.
- 9 (5) Staff has reviewed the request in Docket UG-041978 and recommended the less than statutory notice request of the Company be granted. Staff further recommends the Commission grant an exemption to WAC 480-90-194 and require the Company to notify customers by the first billing after the tariff revision becomes effective, the natural gas customers within the city of Olympia will receive additional notification in the form of a bill print message.
- 10 (6) This matter was brought before the Commission at its regularly scheduled meeting on November 24, 2004
- 11 (7) After examination of the proposed tariff revisions filed by the Company on November 10, 2004, and giving consideration to all relevant matters and for good cause shown, the Commission finds the proposed tariff revisions should become effective December 1, 2004.
- 12 (8) The Commission also finds the Company should be granted an exemption to the customer notice requirements.

ORDER

THE COMMISSION ORDERS:

- 13 (1) The request sought by Puget Sound Energy for less than statutory notice is granted.

- 14 (2) Puget Sound Energy is granted an exemption from WAC 480-90-194, Publication of proposed changes to increase charges or restrict access in service, with regard to this matter. Puget Sound Energy shall notify affected customers by means of a bill print message in the first billing after the tariff becomes effective.

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

DATED at Olympia, Washington, and effective this 24th day of November, 2004.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary