



**PROPOSED RULE MAKING
(RCW 34.05.320)**

CR-102 (7/10/97)

Do NOT use for expedited adoption

Agency: WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

X Original Notice

- X Preproposal Statement of Inquiry was filed as WSR 00-17-167; or**
 Expedited Adoption--Proposed Rule Making notice was filed as
 WSR _____; or
 Proposal is exempt under RCW 34.05.310(4).

**Supplemental Notice
to WSR _____**

**Continuance of WSR
_____**

(a) Title of rule: (Describe Subject) Chapter 480-122 WAC Washington Telephone Assistance Program. Commission Docket UT-003074

Purpose: To implement the requirements of Executive Order 97-02, requiring agencies to review significant rules for **Need; Effectiveness and Efficiency; Clarity; Intent and Statutory Authority; Cost and Fairness.** The proposal would repeal several existing rules which are duplicative of rules under the jurisdiction of the Department of Social and Health Services, adds and clarifies definitions, and includes a new requirement defining when local exchange carriers must begin offering telephone assistance rates and discounts.

(b) Statutory authority for adoption:
 RCW 80.01.040 RCW 80.36.410 RCW 80.66.010
 RCW 80.04.160 RCW 80.36.420

Statute being implemented:

(c) Summary:
 See section (j) below:

Reasons supporting proposal:

- | | | |
|---|--|------------------|
| (d) Name of Agency Personnel Responsible for: | Office Location | Telephone |
| 1. Drafting Kristen Russell | 1300 S. Evergreen Park Drive SW, Olympia, WA 98504 | 360-664-1281 |
| 2. Implementation Carole J. Washburn, Secretary, | 1300 S. Evergreen Park Drive SW, Olympia, WA 98504 | 360-664-1174 |
| 3. Enforcement Carole J. Washburn, Secretary, | 1300 S. Evergreen Park Drive SW, Olympia, WA 98504 | 360-664-1174 |

(e) Name of proponent (person or organization) Private
 Public
 Washington Utilities and Transportation Commission **X Governmental**

(f) Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters: NONE

(g) Is rule necessary because of:
 Federal Law? Yes **X** No **If yes, ATTACH COPY OF TEXT**
 Federal Court Decision? Yes **X** No **Citation:**
 State Court Decision? Yes **X** No

(h) HEARING LOCATION:
 Commission Hearing Room 206
 2nd Floor, Chandler Plaza Building
 1300 So. Evergreen Park Dr. SW
 Olympia, WA 98504-7250

Submit written comments to: Carole J. Washburn,
 Secretary, P.O. Box 47250, Olympia, WA 98504-7250 or
 E-mail to <records@wutc.wa.gov>. Please include Docket No.
 UT-003074 in your communication.

FAX (360) 586-1150 By (date) August 22, 2001

Date: September 12, 2001 **Time:** 9:30 a.m.

DATE OF INTENDED ADOPTION: September 12, 2001

Assistance for persons with disabilities: Contact Mary DeYoung
 by Monday, September 10, 2001
TDD (360) 586-8203 or (360) 664-1133

CODE REVISER USE ONLY

NAME (TYPE OR PRINT)
 Carole J. Washburn

SIGNATURE

TITLE
 Secretary

DATE
 August 1, 2001

(j) Short explanation of rule, its purpose, and anticipated effects:

To implement the requirements of Executive Order 97-02, requiring agencies to review significant rules for Need; Effectiveness and Efficiency; Clarity; Intent and Statutory Authority; Cost and Fairness. The proposal would repeal several existing rules which address the criteria for consumer participation, and benefits received by participants. These rules are duplicative of rules under the jurisdiction of the Department of Social and Health Services. The rule redraft adds a definition for radio communications service company and clarifies existing definitions, and includes a new requirement defining when local exchange carriers must begin offering telephone assistance rates and discounts.

Does proposal change existing rules? YES NO If yes, describe changes:

WAC 480-122-010: clarifies definitions used throughout the chapter, eliminates definitions not pertinent to the Commission's jurisdiction

WAC 480-122-020: clarifies when telecommunications carriers are required to offer telephone assistance rates and discounts

WAC 480-122-030: repealed, falls under the jurisdiction of DSHS

WAC 480-122-040: repealed, falls under the jurisdiction of DSHS

WAC 480-122-060: clarifies that only wireline carriers will collect the excise tax, and eliminates a set rate to allow for flexibility to adjust the rate within the statutory amount by order, at the request of DSHS

WAC 480-122-070: repealed, falls under the jurisdiction of DSHS

WAC 480-122-080: eliminates language that is no longer necessary, and was confusing to carriers

WAC 480-122-090: repealed, falls under the jurisdiction of DSHS

(k) Has a small business economic impact statement been prepared under chapter 19.85 RCW?

Yes. Attach copy of small business economic impact statement.

Commission Staff contacted companies seeking data regarding whether the proposed rules would impose increased costs. The responses indicate that affected companies have not identified such increased costs. The Commission analyzed the rules to identify those that impose requirements that are new or differ from current requirements. The Commission analysis identified only minor costs.

A copy of the statement may be obtained by writing to:

Carole J. Washburn, Secretary
P.O. Box 47250
Olympia, WA 98504-7250

Telephoning: 360-664-1174

Faxing: 360-586-1150

No. Explain why no statement was prepared.

(l) Does RCW 34.05.328 apply to this rule adoption?

YES NO

Please explain:

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