



# 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 05-09-122  
 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: July 29, 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 July 15, 2005

**Assistance for persons with disabilities:** Contact

Mary De Young by Wednesday, July 27, 2005  
TTY (360) 586-8203 or (360) 664-1133

**Date of intended adoption:** July 29, 2005

(Note: This is NOT the effective date)

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:**

This supplemental proposal makes additional changes to the rule language published at WSR #05-09-122, including:

- Clarification that the Commission can set the total fee amount at less than the appropriation amount,
- Conversion to a calendar year instead of a fiscal year for determining the effort data, and
- Replacement of the terms "assignable" and "assigned" with the term "attributable."
- Removes incident investigations that result in a penalty issued under RCW 19.122.055 from consideration in the fee allocation.

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

**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?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Federal Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
State Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If yes, CITATION:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

**CODE REVISER USE ONLY**

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

**June 16, 2005, 10:44 a.m.**

**WSR 05-13-103**

**DATE**  
JUNE 16, 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).