



STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

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November 15, 2019

NOTICE OF OPPORTUNITY TO FILE WRITTEN COMMENTS
(By 5 p.m. on Monday, December 16, 2019)

and

NOTICE OF OPPORTUNITY TO RESPOND TO SMALL BUSINESS ECONOMIC
IMPACT STATEMENT (SBEIS) QUESTIONNAIRE
(By 5 p.m. on Monday, December 16, 2019)

Re: Rulemaking to consider amending and adopting rules in WAC 480-123, universal service, to implement legislation amending and extending the state universal communications service program,
Docket UT-190437

TO ALL INTERESTED PERSONS:

On August 9, 2019, the Washington Utilities and Transportation Commission (Commission) filed with the Code Reviser a Preproposal Statement of Inquiry (CR-101) to initiate a rulemaking to consider amending and adopting rules in Chapter 480-123 WAC, Universal Service, to implement the provisions of sections 11 through 18 of Second Substitute Senate Bill 5511 (Broadband Bill), enacted in the 2019 Legislative Session. Section 18(2) of the bill requires the Commission to amend and adopt new rules to implement reforms to the state universal communications service program.

The Commission solicited and received comments on issues arising from implementation of the Broadband Bill in August and September 2019. Commission Staff has proposed draft revisions to the state universal service program rules in response to those comments and now invites the utilities, stakeholders, and the public to provide feedback on those draft rules. The draft rules are posted on the Commission's website at www.utc.wa.gov/190437.

COMMENTS ON DRAFT RULES

Written comments on the draft rules must be filed with the Commission **no later than 5 p.m., Monday, December 16, 2019.**

RESPONSES TO SMALL BUSINESS ECONOMIC IMPACT QUESTIONNAIRE

In addition to comments on the draft rules, the Commission requests that affected companies provide information concerning whether those rules create additional costs for your company. The cost information you provide concerning these draft rules will assist the Commission to assess the possible costs of the proposed rule revisions and to determine whether a Small Business Economic Impact Statement (SBEIS) is required.

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 companies submit to the Commission **no later than 5 p.m. on Monday, December 16, 2019**, 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 email address 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 480-123-150, of the draft proposed rule that you identify as having a cost impact;
2. Identify whether there is any change from the current rule to the draft proposed rule that creates an **additional** cost impact on the company;
3. Explain why there will be a cost impact on the company;
4. Provide a detailed analysis of how you calculated the cost impact of each draft rule you identify as having a cost impact; and
5. Identify any draft proposed rule that may create a cost savings to the company compared to the current rule.

FILING REQUIREMENTS

Pursuant to WAC 480-07-250(3), written comments on the draft rules and responses to the SBEIS questionnaire must be submitted in electronic form, specifically in searchable .pdf format (Adobe Acrobat or comparable software). As provided in WAC 480-07-140(5), those comments must be submitted via the Commission's web portal at www.utc.wa.gov/e-filing. If you are unable to submit documents via the portal, you may submit your comments by email to the Commission's Records Center at records@utc.wa.gov or by mailing or delivering an electronic copy to the Commission's Records Center on a flash drive, DVD, or compact disc that includes the filed document(s). Comment submissions should include:

- The docket number of this proceeding (UT-190437).
- The commenting party's name.
- The title and date of the comment or comments.

The Commission will post all written comments and responses to the SBEIS questionnaire on its website at the following URL address: www.utc.wa.gov/190437.

If you have questions regarding this rulemaking, you may contact Staff, Jing Roth, at (360) 664-1291 or by email at jing.roth@utc.wa.gov, or Sean Bennett, at (360) 664-1109 or by email at sean.bennett@utc.wa.gov.

MARK L. JOHNSON
Executive Director and Secretary