

Agenda Date: October 26, 2005  
Item Numbers: C1 and C2

**Dockets:** UT-051261 and UW-051287  
Rulemaking – Budgets, Who Must File

Company Name: Telecommunications – General  
Water - General

Staff: Betty Erdahl, Regulatory Analyst  
Danny Kermode, Regulatory Analyst  
Karen Caille, Administrative Law Judge

**Recommendation:**

Direct the Secretary to file a Notice of Proposed Rulemaking (CR-102) with the Office of the Code Reviser in Docket Nos. UT-051261 and UW-051287 proposing to eliminate the requirement in WAC 480-140-020 that telecommunications companies and water companies file budgets with the Commission.

**Background:**

Chapter 480-140 WAC governs budgets. In August 2005, the Commission initiated the present rulemaking by filing a CR-101 form with the Office of the Code Reviser to consider elimination of the requirement that telephone companies and water companies file budgets.

**The Rulemaking Process:**

After the Commission filed the CR-101 form with the Code Reviser's Office, the Commission mailed a Notice of Opportunity to File Written Comments providing notice of the initiation of the rulemaking and the opportunity to provide written comments to all members of the regulated industry and other interested persons. The Commission has not received any comments about the proposed change to the budget rule regarding who must file.

**Rule Discussion:**

The proposed rule change is attached to this memorandum as Attachment A.

**Small Business Environmental Impact Statement (SBEIS):**

Pursuant to Chapter 19.85 RCW, the Regulatory Fairness Act, Commission Staff reviewed the requirements for preparing a SBEIS. The proposed rule imposes no financial burden and in fact reduces financial burden on the affected companies; therefore, an SBEIS is not required.

**Conclusion:**

Staff recommends that the Commission direct the Secretary to file a Notice of Proposed Rulemaking (CR-102) with the office of the Code Reviser in Docket Nos. UT-051261 and UW-051287 proposing elimination of the requirement in WAC 480-140-020 that telecommunications companies and water companies file budgets with the Commission.

Attachment