



**PROPOSED RULE MAKING
(RCW 34.05.320)**

**CR-102 (7/22/01)
Do NOT use for expedited
rule making**

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|---|---|
| Agency: WUTC | <input type="checkbox"/> Original Notice <input checked="" type="checkbox"/> Supplemental Notice to WSR 01-22-110 <input type="checkbox"/> Continuance of WSR _____ |
| <input checked="" type="checkbox"/> Preproposal Statement of Inquiry was filed as WSR 00-02-010 ; or <input type="checkbox"/> Expedited Rule Making -- Proposed notice was filed as WSR _____; or <input type="checkbox"/> Proposal is exempt under RCW 34.05.310(4). | |

(a) Title of rule: (Describe Subject) (1)Registration, petitions for competitive classification, and initial price list requirements (WAC 480-121-020). This supplemental proposal to the original proposal (WSR 01-22-110) would consider deletion of the requirement of a signed declaration/certification of the accuracy of the filing, WAC-480-121-020(2)(d).

(2) Waiver of regulatory requirements for competitively classified telecommunications companies (WAC 480-121-063). This supplemental proposal to the original proposal (WSR 01-22-110) would consider amendment of WAC 480-121-063(1)(m) relating to waivers of sections of Chapter 480-80 WAC, Tariffs, price lists, and contracts, to eliminate the waiver of WAC 480-80-010 through WAC 480-80-031.

Purpose:
 Deleting WAC 480-121-020(2)(d) from the original proposal would facilitate electronic filings.
 Eliminating the waiver of WAC 480-80-010 through WAC 480-80-031 from the original proposal outlined in WAC 480-121-063(1)(m) would capture all rules pertaining to the Registration, Competitive Classification, and Initial Price Lists of Telecommunications Companies.

Other identifying information:
 Docket No. UT-991922

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| | Statute being implemented: |
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(c) Summary:
 See section (j) below
 Reasons supporting proposal:

| (d) Name of Agency Personnel Responsible for: | Office Location | Telephone |
|--|---|--------------|
| 1. Drafting.....Teri Wallace, | 1300 S. Evergreen Park Dr. S.W., Olympia, WA 98504-7250 | 360-664-4891 |
| 2. Implementation.... Carole J. Washburn, Secretary, | 1300 S. Evergreen Park Dr. S.W., Olympia, WA 98504-7250 | 360-664-1174 |
| 3. Enforcement..... Carole J. Washburn, Secretary, | 1300 S. Evergreen Park Dr. S.W., Olympia, WA 98504-7250 | 360-664-1174 |

(e) Name of proponent (person or organization):
 Washington Utilities and Transportation Commission

Private
 Public
 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? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | If yes, ATTACH COPY OF TEXT |
| Federal Court Decision? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | Citation: |
| State Court Decision? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | |

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| (h) HEARING LOCATION: Commission Hearing Room Second Floor, Chandler Plaza Building 1300 S. Evergreen Park Drive S.W. Olympia, WA 98504-7250 Date: <u>April 24, 2002</u> Time: <u>9:30 a.m.</u> | Submit written comments to: Secretary, Docket No. UT-991922 Washington Utilities and Transportation Commission 1300 S. Evergreen Park Dr. S.W. P.O. Box 47250 Olympia, Washington 98504-7250 FAX (360) 586-1150 By: April 10, 2002 |
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DATE OF INTENDED ADOPTION: April 24, 2002

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| CODE REVISER USE ONLY | |
| Assistance for persons with disabilities: Contact <u>Mary DeYoung by Monday, April 22, 2002</u> TDD (360) 586-8203 or (360) 664-1133 | |
| NAME (TYPE OR PRINT) | |
| CAROLE J. WASHBURN | |
| SIGNATURE | |
| TITLE | DATE |
| SECRETARY | March 13, 2002 |

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

This supplemental proposal carves out two rules from the original proposal filed under WSR 01-22-110. This proposal would delete WAC 480-121-020(2)(d) and amend WAC 480-121-063(1)(m).

The initial proposal in WAC 480-121-020(2)(d) would require a signed declaration/certification of the accuracy of the filing. Elimination of the signed declaration/certification will have no impact on the Commission's surveillance of the registration, competitive classification, and initial price lists filed by a telecommunications company. This proposal would facilitate electronic filings.

The initial proposal in WAC 480-121-063(1)(m) would waive regulatory requirements for competitively classified telecommunications companies in Chapter 480-80 WAC, Tariffs, price lists, and contracts. The initial proposal inadvertently waived rules set forth in WAC 480-80-010 through WAC 480-80-031 that are essential for competitively classified companies. This proposal would capture all rules pertaining to the Registration, Competitive Classification, and Initial Price Lists of Telecommunications Companies.

Does proposal change existing rules? XYES NO

If yes, describe changes:

Existing rules require a signed declaration/certification of the accuracy of the filing. WAC 480-121-010. This proposal would eliminate this requirement.

The original proposal puts waivers of regulatory requirements for competitively classified telecommunications companies into rule. Historically, waivers of regulatory requirements for competitively classified telecommunications companies had been accomplished through Commission orders. This proposal clarifies the original proposal as to which regulatory requirements in Chapter 480-80 WAC are considered waived.

(k) 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 writing to:

telephoning: ()
faxing: ()

X No. Explain why no statement was prepared

Because there will not be any increase in cost resulting from these proposed rules, an SBEIS is not required.

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