



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

- | | |
|--|---|
| <input checked="" type="checkbox"/> Preproposal Statement of Inquiry was filed as WSR #10-05-107; or | <input checked="" type="checkbox"/> Original Notice |
| <input type="checkbox"/> Expedited Rule Making--Proposed notice was filed as WSR _____; or | <input type="checkbox"/> Supplemental Notice to WSR _____ |
| <input type="checkbox"/> Proposal is exempt under RCW 34.05.310(4). | <input type="checkbox"/> Continuance of WSR _____ |

Title of rule and other identifying information: (Describe Subject) WAC 480-120-264-Prepaid Calling Services. Docket UT-100148.

The proposed rule would amend the existing rule regarding disclosure requirements for prepaid calling services (PPCS).

Specifically, the proposed rule, WAC 480-120-264(5)(a)(iv), requires PPCS providers to disclose **the number of minutes or the value of the service and the rates from which the minutes may be determined**. Additionally, the proposed rule, subsection (5)(c), requires PPCS providers to disclose information **in the language in which the service is advertised**.

Furthermore, the proposed rule clarifies that required disclosures must be either on the card or its packaging and specifies that if the PPCS provider issues a card, certain information must be on the card. Otherwise, the proposed rule includes minor revisions to clarify language within the current rule.

Hearing location(s):

Commission Hearing Room 206
Second Floor, Richard Hemstad Building
1300 S. Evergreen Park Drive SW
Olympia, WA 98504-7250

Date: June 28, 2010 Time: 1:30 PM

Submit written comments to:

Name: Washington Utilities and Transportation Commission
Address: 1300 S Evergreen Park Drive S.W.
PO Box 47250
Olympia, WA 98504-7250
e-mail records@utc.wa.gov
fax (360) 586-1150 by (date) June 7, 2010

Assistance for persons with disabilities: Contact

Susan Holman by June 14, 2010

TTY (360) 586-8203 or (360) 664-1243

Date of intended adoption: June 28, 2010
(Note: This is **NOT** the effective date)

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

The UTC is responsible for protecting consumers by ensuring that investor-owned utility services (such as prepaid calling services) are available and reliable, by disclosing information to better enable consumers to make choices for competitively offered utility services. The disclosures regarding the number of minutes or value of the service as well as the requirement that disclosures be made in the language in which the service is advertised are proposed for interstate services regulated by the Federal Communications Commission. The UTC believes that the same information would be beneficial for the intrastate services under our jurisdiction. The revisions and supplemental information in the proposed rule are consistent with the UTC's mission.

Reasons supporting proposal: See above

Statutory authority for adoption: RCW 80.01.040 and RCW 80.04.160

Statute being implemented: N/A

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:

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: May 03, 2010

TIME: 9:50 AM

WSR 10-10-080

DATE

May 3, 2010

NAME (type or print)

David W. Danner

SIGNATURE

TITLE

Executive Director and Secretary

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

None.

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

- Private
 Public
 Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Tim Zawislak	1300 S. Evergreen Park Drive SW, Olympia, WA 98504	(360) 664-1294
Implementation....David W. Danner	1300 S. Evergreen Park Drive SW, Olympia, WA 98504	(360) 664-1208
Enforcement.....David W. Danner	1300 S. Evergreen Park Drive SW, Olympia, WA 98504	(360) 664-1208

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.

With the CR-101, the UTC elicited comments from interested persons regarding the economic impact of the proposed changes. The revised rule incorporates changes proposed by interested persons and will not result in or impose more than minor costs. Because there will not be more than minor increase in costs resulting from the proposed rule changes, a 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 rule is not a significant legislative rule of the sort referenced in RCW 34.05.328(5).