

[Service Date October 14, 2003]

October 14, 2003

**NOTICE OF CONSIDERATION
OF PROPOSED RULEMAKING (CR-102)
(Set for Wednesday, November 12, 2003, 1:30 p.m.)**

**NOTICE OF OPPORTUNITY TO FILE WRITTEN COMMENTS
(By Wednesday, October 29, 2003)**

RE: Minimum Regulatory Fee Rulemaking
Docket No. A-031232

TO ALL INTERESTED PERSONS:

The Commission Staff has completed a draft of the proposed rules establishing minimum regulatory fees for class 1 utilities and transportation industries, except motor freight carriers.

The draft rules implement recent amendments to Chapters 80.24 , 81.24, and 81.77 RCW pursuant to Chapter 296, Laws of 2003, that give the Commission authority to set minimum fees that do not exceed the cost of collecting the fees, and to waive collection of the minimum fee. In addition, the draft rules create a rule to address regulatory fees for railroads since no rule exists for that industry.

Staff 's proposed draft rules would set the minimum regulatory fee at \$20.00 for each of the utilities and transportation industries, excluding motor freight carriers. In addition, the draft rules would allow for waiver of the minimum regulatory fee when the industry's gross operating revenues are under a specified threshold amount.

The rules included in this proposal are:

- WAC 480-30-110, Regulatory fees
- WAC 480-51-100, Annual reports – Regulatory fees

- WAC 480-62-300, Annual reports – Regulatory fees
- WAC 480-70-076, Regulatory fees
- WAC 480-90-208, Financial reporting requirements
- WAC 480-100-208, Financial reporting requirements
- WAC 480-110-275, Accounting and reporting requirements, and regulatory fees
- WAC 480-120-303, Reporting requirements for competitively classified companies
- WAC 480-120-304, Reporting requirements for companies not classified as competitive

The proposed draft rules are available for inspection on the Commission's web site at www.wutc.wa.gov/031232. The Commission will send a paper copy of the draft rules or will send the proposal via electronic mail, if requested.

The proposed rules will be presented to the Commission on **Wednesday, November 12, 2003, at 1:30 p.m.**, for approval to file a Notice of Proposed Rulemaking (CR-102). The open meeting will be held in the Commission's Hearing Room, Second floor, Chandler Plaza, 1300 S. Evergreen Park Drive, S.W., Olympia, Washington. Your oral comments on the rule proposals will be welcomed at this meeting.

WRITTEN COMMENTS

Written comments may be submitted to the Commission at the address below and should be filed with the Commission no later than **Wednesday, October 29, 2003**. If you need additional information please call Barbara Weigel at (360) 664-1157 or e-mail at <bweigel@wutc.wa.gov >.

Electronic copies. The Commission requests that comments be provided in electronic format to enhance public access, for ease of providing comments, to reduce the need for paper copies, and to facilitate quotations from the comments. Comments may be submitted by electronic mail to the Commission's Records Center at records@wutc.wa.gov. Please include:

- The docket number of the proceeding (A-031232)
- The commenting party's name
- The title and date of the comment or comments

An alternative method for submitting comments may be by mailing/delivering an electronic copy on a 3-1/2 inch, IBM-formatted, high density disk, in .pdf Adobe Acrobat format or in word 97 or later. Include all of the information requested above. The Commission will post on the Commission's web site all comments that are provided in electronic format. The web site is located at <http://www.wutc.wa.gov/031232>.

If you are unable to file your comments electronically or to submit them on a disk, the Commission will always accept a paper document.

Opportunity for further comment is anticipated. Information about schedule and other aspects of the rulemaking, including comments, will be posted on the Commission's web site as it becomes available. If you wish to receive further information on this rulemaking you may (1) call the Commission's Records Center at (360) 664-1234, (2) e-mail the Commission at <records@wutc.wa.gov>; or (3) mail written comments to the address below. When contacting the Commission, please refer to Docket No. A-031232 to ensure that you are placed on the appropriate service list. The Commission's mailing address is:

Secretary
Washington Utilities and Transportation Commission
1300 S. Evergreen Park Drive S.W.
P.O. Box 47250
Olympia, WA 98504-7250

NOTICE

If you don't want to comment now, but do want to receive future information about this rulemaking, please notify the Secretary in one of the ways described above and ask to be included on the mailing list for Docket No. A-031232. If you do not do this, you will not receive further information about this rulemaking.

Sincerely,

CAROLE J. WASHBURN
Executive Secretary