

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION
COMMISSION

In the Matter of)	
Adopting and Repealing)	DOCKET NO. UG-990294
)	
Chapter 480-90 WAC)	GENERAL ORDER NO. R-484
)	
Relating to Rules establishing)	
requirements for gas companies -)	ORDER: REPEALING AND
Operations)	ADOPTING RULES
)	PERMANENTLY
.....)	

1 **STATUTORY OR OTHER AUTHORITY:** The Washington Utilities and Transportation Commission takes this action under Notice WSR #01-02-084, filed with the Code Reviser on January 2, 2001. The Commission brings this proceeding pursuant to RCW 80.01.040 and RCW 80.04.160.

2 **STATEMENT OF COMPLIANCE:** This proceeding complies with the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.05 RCW), the State Register Act (chapter 34.08 RCW), the State Environmental Policy Act of 1971 (chapter 43.21C RCW), and the Regulatory Fairness Act (chapter 19.85 RCW).

3 **DATE OF ADOPTION:** The Commission adopts this rule on the date that this Order is entered.

4 **CONCISE STATEMENT OF PURPOSE AND EFFECT OF THE RULE:** RCW 34.05.325 requires that the Commission prepare and provide to commenters a concise explanatory statement about an adopted rule. The statement must include the identification of the reasons for adopting the rule, a summary of the comments received regarding the proposed rule, and responses reflecting the Commission's consideration of the comments.

5 The Commission often includes a discussion of those matters in its rule adoption order. In addition, most rulemaking proceedings involve extensive work by Commission Staff that includes summaries in memoranda of stakeholder comments, Commission decisions, and Staff recommendations in each of those areas.

6 In this docket, to avoid unnecessary duplication, the Commission designates the discussion in this Order as its concise explanatory statement, supplemented where not inconsistent by the Staff memoranda presented at the adoption hearing and at the open meetings where the Commission considered whether to begin this rulemaking and whether to adopt the specific language proposed by Staff. Together, the

documents provide a complete but concise explanation of the agency's actions and the agency's reasons for taking those actions.

7 **REFERENCE TO AFFECTED RULES:** This Order repeals the following sections of the Washington Administrative Code:

WAC 480-90-011	Application of rules.
WAC 480-90-016	Saving clause.
WAC 480-90-021	Glossary.
WAC 480-90-026	Tariffs.
WAC 480-90-031	Accounting.
WAC 480-90-032	Accounting--Political information and political education activities.
WAC 480-90-036	Finance--Securities, affiliated interests, transfer of property.
WAC 480-90-041	Availability of information.
WAC 480-90-043	Advertising.
WAC 480-90-046	Application for service.
WAC 480-90-051	Establishment of credit.
WAC 480-90-066	Distribution extensions.
WAC 480-90-071	Discontinuance of service.
WAC 480-90-072	Payment arrangements and responsibilities.
WAC 480-90-076	Service responsibilities.
WAC 480-90-081	Service connections
WAC 480-90-086	Service entrance.
WAC 480-90-091	Access to premises.
WAC 480-90-096	Complaints and disputes.
WAC 480-90-101	Quality of gas
WAC 480-90-106	Form of bills.
WAC 480-90-116	Refunds for inaccurate metering.
WAC 480-90-126	Meter reading.
WAC 480-90-131	Installation of meter set assembly (MSA)
WAC 480-90-136	Location of meter set assembly
WAC 480-90-141	Identification of meters.
WAC 480-90-146	Initial accuracy of meters.
WAC 480-90-151	Metering tolerance.
WAC 480-90-156	Dispute as to meter accuracy.
WAC 480-90-161	Complaint meter test.
WAC 480-90-166	Statement of meter test procedures.
WAC 480-90-171	Frequency of periodic meter test.
WAC 480-90-176	Meter history records.
WAC 480-90-181	Filing of records and reports and the preservation of records.
WAC 480-90-191	Least cost planning.
WAC 480-90-211	Business offices and payment agencies.

8 **PREPROPOSAL STATEMENT OF INQUIRY:** The Commission filed a
Preproposal Statement of Inquiry (CR-101) on April 1, 1999, at WSR #99-08-052.

9 **ADDITIONAL NOTICE AND ACTIVITY PURSUANT TO PREPROPOSAL
STATEMENT:** The Preproposal Statement of Inquiry advised interested persons
that the Commission was considering entering a rulemaking on rules relating to gas
companies to review them for content and readability pursuant to Executive Order
97-02, with attention to the rules' need, effectiveness and efficiency, clarity, intent
and statutory authority, coordination, cost, and fairness. The review included
consideration of whether substantive changes or additions were required.

10 The Commission also informed persons of the inquiry into this matter by providing
notice of the subject and the CR-101 to all persons on the Commission's list of
persons requesting such information pursuant to RCW 34.05.320(3) or who appeared
on lists of interested persons in Docket UG-990294. Pursuant to the notice, the
Commission:

- Held four interested person/stakeholder meetings.
- Created inter-institutional discussion and drafting subgroups to prepare initial
rules drafts.
- Developed draft rules using the information gathered from stakeholders.
- Circulated three working drafts to stakeholders for comment.
- Updated drafts to incorporate comments received.

11 **NOTICE OF PROPOSED RULEMAKING:** The Commission filed a notice of
Proposed Rulemaking (CR-102) on January 2, 2001 at WSR #01-02-084. The
Commission scheduled this matter for oral comment and adoption under Notice WSR
#01-02-084 at 9:30 a.m., Wednesday, March 14, 2001, in the Commission's Hearing
Room, Second Floor, Chandler Plaza Building, 1300 S. Evergreen Park Drive S.W.,
Olympia, Washington. The Notice provided interested persons an opportunity to
submit written comments to the Commission.

12 **MEETINGS OR WORKSHOPS; ORAL COMMENTS:** Before filing the notice
of Proposed Rulemaking, the Commission held four workshops at its headquarters in
Olympia. The workshops were held on June 3 and June 24, 1999, October 14-15,
1999, and May 25, 2000. In addition, the Commission held an informal workshop on
February 15, 2001. The following persons attended all or some of the workshops:
Bruce Folsom, Renée Webb, Dick Winters, Doug Young, Dick McCarthy, and Dave
de Felice (all representing Avista Utilities), Lynn Logen, Phil Popoff, Karl Karzmar,
Christy Umohundro, John McClain, Rick Adams, Lisa Rasmussen, John Thorne, and
Stephanie Kreshel (all representing Puget Sound Energy), Onita King and Lois
Douglass (representing Northwest Natural Gas), Matt Steuerwalt and Evan Sheffels
(representing the Office of Public Counsel), Carole Rockney, Royal Drager, Robin
Cross, Gene Cardon, Lauren Panamen, Jim Moore, and Peggy Duke (representing
PacifiCorp), Kathie Barnard, Barbara Groff, Julie Marshall, and Debbie Barry

(representing Cascade Natural Gas), Michael Karpp (representing the Energy Project), Ed Flinkea (representing Energy Advocates), Doug Betzold (with Cost Management Services), Liz Klumpp (representing the Energy Office of the Department of Community, Trade, and Economic Development), Mark Dirstine (representing the International Brotherhood of Gas Workers), and Al Rhoades (with the Washington State Building Code Council). During the workshops, attendees provided oral comments about all the sections under review. Most of the discussions focused on consumer related issues, including information to consumers, deposit requirements, refusal and disconnection of service, prior obligation, reconnection of service, payment arrangements, winter low-income payment programs, service responsibilities, disclosure of private information, and access to customers' premises. Additional discussions focused on financial records and reporting rules, such as financial reporting requirements, advertising, and expenditures for political activities, and on metering and safety and standard issues. The Commission adopted many of the comments offered by various stakeholders. Other comments were not adopted for the reasons stated below.

13 **COMMENTERS (WRITTEN COMMENTS):** The Commission received written comments from Avista Utilities, Cascade Natural Gas, Northwest Natural Gas, PacifiCorp, Public Counsel, Puget Sound Energy, Mr. Richard M. Toombs, and Washington Health Care Association. The Commission adopted many of the written comments filed by these stakeholders. Other comments were not adopted for the reasons stated below.

14 **SUGGESTIONS FOR CHANGE THAT ARE REJECTED:** The following suggested changes were not adopted for the reasons explained below.

WAC 480-90-108 Application for Service

15 **Subsection (4)(a). Northwest Natural Gas (NWN)** commented that, even with the best of intentions, circumstances can arise that will cause utilities to be unable to meet a service date. To avoid being in violation of this rule, the company suggested a change in the language in this subsection to state that a utility must make reasonable efforts to notify the applicant as soon as practicable should it become aware that the service date cannot be met. The Commission does not agree with the proposed language. Customers have a right to notification of a change in the service date, by that date. NWN's language would allow utilities to provide notification after that date. Instead, the Commission adds language allowing the companies to provide notification to the customers of any change of the service date "on or prior" to the scheduled service date.

WAC 480-90-113 Residential Service Deposit Requirements

16 **Subsection (1)(a). Avista Utilities and Cascade Natural Gas** commented that the changes contained in this subsection (by which an gas utility may collect a deposit from its customers if at any time during the prior twelve months, the utility has sent

the customer three or more delinquency notices) might make the utilities lose flexibility and might lead to increased write-offs because the tools to reduce bad-debts would be weakened. Cascade argued that the proposed language would not allow utilities to obtain deposits from higher risk customers. Both companies recommend that fewer notices be required to trigger the option to require a deposit. The Commission disagrees with both comments. The proposed language in (1)(a) reflects current rule language for existing customers. For new applicants it raises the standard from two to three delinquencies to make the standard consistent for both existing and new customers.

- 17 Additionally, Cascade commented that a utility should be allowed to collect a deposit when a customer has declared bankruptcy. At the time of bankruptcy the original customer account is closed and then must be re-established in order to have a clear determination of pre/post bankruptcy charges. The Commission disagrees with Cascade's comments regarding bankruptcy and deposit collection. Legal counsel has advised against adopting this practice.
- 18 **Subsection (1)(b). Northwest Natural Gas** commented that any time a utility has knowledge that a person has committed theft or has tampered with utility facilities, that knowledge gives the utility good cause to require a deposit. NWN suggested incorporating theft or tampering with utility facilities into the language of this subsection. The Commission disagrees. Theft and tampering already is addressed in the disconnection of service rule. Nothing would be gained from this proposed additional language in the deposit rule.
- 19 **Subsection (5). PacifiCorp** commented that if there is no restriction on the number of times a customer uses prior obligation, the Commission should consider strengthening the deposit policy to require the entire deposit at the time of reconnection for those who use prior obligation, or, at a minimum, one-half the deposit before reconnection and the other half within 30 days. The company also suggested limiting Alternative to Deposit, perhaps retaining only section (b) as an alternative to a deposit for customers who use prior obligation. The company stated that allowing utilities the opportunity to collect a deposit in a timely manner from customers who use prior obligation would lessen the risk that further write-offs would be incurred from that same customer, thus reducing the companies' financial exposure and the subsidy paid by other customers for write-offs incurred by prior obligation. The Commission decided to defer consideration of changes to rules related to prior obligation. Existing prior obligation requirements remain as stated in WAC 480-90-056 and WAC 480-90-116.
- 20 **Subsection (5)(d). Northwest Natural Gas** agreed with the proposed language that a reference from a similar utility would suffice as an alternative to a deposit. But NWN comments that the applicant should be responsible for producing an acceptable reference that would not require subsequent verification by the utility. Additionally, NWN suggested that the rule include a requirement that the preferred acceptable form of such a reference would be a letter from another utility. The Commission disagrees.

Limiting the acceptable form of reference to a letter from another utility places an undue burden on the customer and the other utility.

WAC 480-90-128 Disconnection of Service. Medical emergencies

21 **Subsection (5)(a). Puget Sound Energy, Avista Utilities, and Cascade Natural Gas** commented on a change to language by which customers claiming medical emergency to avoid disconnection of service are no longer required to identify their name and relationship to the customer of the ill resident. The three companies observed that, without this information, utilities seeking to verify medical emergency claims will only be able to use a patient's address when talking with a doctor's office and that this may lead to confusion when the person with the medical condition is not the customer of record. The companies commented that this might require additional verification activity for the customer. The Commission disagrees. Legal counsel has advised that the Commission should not require a customer to identify the name and relationship of an ill resident because of right to privacy issues.

WAC 480-90-143 Winter Low-Income Payment Program

22 **Subsection (1)(b). Avista Utilities** commented that community action agencies do not have the staffing and resources available to accomplish income verification as contemplated under this proposed rule change, and that no funding was identified or provided through the rulemaking process to rectify this situation. The company added that the Commission's jurisdiction does not extend to community action agencies, leaving a potential void for program implementation. The company recommended that the proposed rule change be rejected or, at a minimum, tabled for additional discussion. The Commission's intention is to capture RCW 80-28-010(4) in this rule. The statute directs customers to provide self-certification of household income to a grantee of the Department of Community Trade and Economic Development (DCTED). The grantee is to determine that the income does not exceed eligibility. The rule does not directly refer to community action agencies, but simply mirrors the RCW, which states that the grantee of DCTED will determine eligibility.

WAC 480-90-163 Service Entrance Facilities

23 **Subsection (1). Northwest Natural Gas** commented that the expression "entrance facilities" was unclear and suggested a change to mandate the customer to provide entrance to the premises to be served at the easiest access point to the utility's distribution system. The Commission disagrees with the company's proposed language. The rule's intent is to have the customer's utility attachment be close to the utility distribution system. The Commission adopts the following language to capture its intent: "Provide service entrance facilities at the easiest access point to the utility's distribution system;"

WAC 480-90-173 Gas Utility Responsibility for Complaints and Disputes

24 **Subsection (1). Northwest Natural Gas** commented that customers often write remarks of complaint on their bill stub or even include a separate note with their bill payment. The company stated that the nature of these remarks can sometimes be construed as a complaint or dispute, although generally the writer does not expect to receive a response from the utility. Responding to every such remark would be burdensome and very costly. Consequently, NWN requested that, for purposes of this rule, remarks included with or written on bill stubs or checks that do not specify that a response is requested will not be considered a complaint or dispute. The Commission disagrees. There may be legitimate complaints written on customer bills and these should be responded to by the utility.

25 **Subsection (3). Cascade Natural Gas** recommended that, in order to resolve outstanding issues as soon as possible, subsection (3) be modified to include language stating that Commission Staff will respond to the utility on the resolution of a complaint as soon as practical to ensure that the utility can proceed with any necessary action. The Commission disagrees. The proposed additional language is unnecessary since Staff already responds to the utilities as soon as practical. The complaint workload in the Commission's Consumer Affairs is driven exclusively by the consumers of the regulated industries. The Commission has no control over that workload.

WAC 480-90-178 Billing Requirements and Payment Dates

26 **Subsection (1)(i)(ii). Puget Sound Energy** commented that the proposed language includes a provision that would require utilities to disconnect a customer if the utility is unable to read the meter at the customer's location for more than four consecutive billing cycles for reasons such as some kind of hazard on the customer's property. The company suggests that this result seems extreme and that the rule should allow utilities to disconnect after four consecutive unsuccessful meter read attempts but not require it. This revision would provide utilities with the ability to threaten disconnection without being required to use it. The Commission disagrees. Section (1)(i)(ii) is intended to ensure that companies do not continually estimate bills. It does not require companies to disconnect service. The rule requires utilities to be aware of estimated bills and take a proactive approach to limit the use of estimating.

WAC 480-90-208 Financial Reporting Requirements

27 **Subsection (1) Annual reports. PacifiCorp** requested a change in the proposed language to accommodate fiscal year companies so that they are not forced to disclose material information prior to the annual earnings release. The Commission believes that annual reports filed on a calendar year should be required for consistency, for verifying the regulatory fee, and for preparing the Commission's published statistical reports that are based on calendar year FERC 1 format.

28 **Subsection (3) Quarterly reports.** PacifiCorp states that its last quarter information would not be available for release until 90 days after the end of its fiscal year (*i.e.*, June 30) and that the company cannot release significant financial information such as this prior to the general release. Consequently, PacifiCorp requested a change in the proposed language to allow appropriate extensions or waivers for companies so that they are not forced to disclose material information prior to their annual earnings release. The Commission believes that forty-five days after the end of the quarter is sufficient time for submission of each quarterly report. Filing the fourth quarter report as “confidential,” in appropriate circumstances, or requesting a waiver are options for companies.

WAC 480-90-328 Meter Identification

29 **Puget Sound Energy** commented that safety issues are adequately addressed if the name or initials on the meter’s nameplate are a former name of the utility (*e.g.*, WNG will be just as well understood as PSE). The Company stated that retrofitting nameplates or placing special stickers on meters that have the utility’s former name will not enhance the health, welfare, and safety of Washington citizens but will increase costs to our customers. Therefore, PSE suggested modifying the existing rule to allow a utility’s former name if it would be reasonable by balancing the benefits and costs of the rule. The Commission disagrees. This rule has not been changed from the current rule language. Commission engineers feel it is very important from a safety standpoint to be able to identify the current gas utility provider.

30 **RULEMAKING HEARING:** The rule proposal was considered for adoption, pursuant to the notice, at a rulemaking hearing held during the Commission’s regularly scheduled open public meeting on March 14, 2001, before Chairwoman Marilyn Showalter and Commissioner Richard Hemstad. No interested person made oral comments.

31 **COMMISSION ACTION:** After considering all of the information regarding this proposal, the Commission repealed and adopted the rules as proposed in the CR-102 at WSR #01-02-084 with the changes described below.

32 **CHANGES FROM PROPOSAL:** The Commission adopted the proposal with the following changes from the text noticed at WSR #01-02-084:

WAC 480-90-148 Service Responsibilities

33 **Subsections (3) and (4).** **Puget Sound Energy** commented that the reporting requirements of service interruptions as revised in the proposed rules, would create an inconsistency with WAC 480-93-210. The proposed rules would require utilities to file reports to the Commission in the event any firm service customer is interrupted. The existing language is consistent with the gas safety rules that require reports when 25 or more firm customers are interrupted. Rather than mimic the requirements in the safety rules, it would be most reasonable to drop references to interruptions in this

report, since those requirements are more fully addressed in WAC 480-93. The Commission disagrees about the suggested inconsistency between WAC 480-93-210, Interruptions to Service and the proposed WAC 480-90-148. The former addresses the requirements to the utility if its gas facilities fail (accident or failure) and not scheduled interruptions, the latter covers scheduled interruptions. The Commission agrees with the company's comment about the requirement of filing reports in the event any firm customer is interrupted. The Commission has revised the language accordingly, eliminating language regarding forced interruptions, and has reverted back to the "25 or more customers" reporting requirement for scheduled interruptions.

WAC 480-90-113 Residential Service Deposit Requirements

34 **Subsection (2)(a). Northwest Natural Gas** commented that the proposed language could excuse an applicant from a deposit requirement if they were a prior customer of the utility, even if one of the conditions of subsection (1) existed because subsection (2)(a) limited the conditions stated in subsection (1) to a relationship with another gas utility. NWN made this comment in a parallel rulemaking in Docket UG-990294, Gas Companies Operations – rulemaking. The Commission elected to adopt the comments in the gas rules and also to establish parallel language in the corresponding gas rule. The company suggests revising the subsection to state that a utility may collect a deposit from an applicant for residential service if any of the conditions described in subsection (1) existed on a prior occasion as a customer of the utility or as a customer of another gas utility. The Commission agrees and proposes to adopt this language.

35 **Subsection (3). Avista Utilities, Northwest Natural Gas, and Puget Sound Energy** commented that the changes contained in this subsection would make utilities lose flexibility and may lead to under-calculating the appropriate deposit amount if the most recent 12 months actual usage data is required, by not recognizing that dwellings may be unoccupied, but energized, for periods of time. The companies argued that under the current rules, deposits are based on "estimated annual billings" language that provided utilities with reasonable flexibility and has had reasonable results in practice. The Commission agrees with the companies' comments and reverts back to existing language that allows deposits to be based on "estimated billings."

WAC 480-90-118 Nonresidential Service Deposit Requirements

36 **Subsection (2). Puget Sound Energy and Northwest Natural Gas** commented that, given the type of customers covered by this rule, the utilities need more flexibility to collect a deposit in an amount that is more reflective of the financial risk involved. **Cascade Natural Gas** commented that the risk associated with non-residential customers is much greater as they normally incur much higher monthly bills. The company suggested adding language allowing utilities to require a larger deposit or a new deposit when conditions warrant. The Commission agrees and adds back existing language that allows deposits to be based on estimated annual billings.

The Commission will also add back current rule language that allows the utility to collect a larger, new, or alternative form of deposit if circumstances warrant.

WAC 480-90-158 Service Connections.

- 37 **Subsection (1). Northwest Natural Gas** commented that the term “fuel line” is not a commonly used term. The Commission agrees and proposes to change the language to “piping” to be consistent with the rest of the subsection.

WAC 480-90-178 (1) Billing requirements and payment date

- 38 **Mr. Richard M. Tooms** commented about his inability as a customer to verify the charges on his gas bill, particularly the consumption and the price. The Commission has incorporated language requiring terms, and relevant rates for each, and the basic charge to be included on customer’s bills.

WAC 480-90-123 Refusal of Service and WAC 480-90-153 Disclosure of Private Information

- 39 The Commission finds that there is a need to continue discussions about the language in these two sections. Accordingly, the Commission, at this time, is not adopting these rules as previously proposed. The Commission will issue a supplemental CR-102 covering WAC 480-90-123 and WAC 480-90-153.

- 40 **STATEMENT OF ACTION; STATEMENT OF EFFECTIVE DATE:** In reviewing the entire record, the Commission determines that WAC sections 480-90-011, 480-90-016, 480-90-021, 480-90-026, 480-90-031, 480-90-032, 480-90-036, 480-90-041, 480-90-043, 480-90-046, 480-90-051, 480-90-066, 480-90-071, 480-90-072, 480-90-076, 480-90-081, 480-90-086, 480-90-091, 480-90-096, 480-90-101, 480-90-106, 480-90-116, 480-90-126, 480-90-131, 480-90-136, 480-90-141, 480-90-146, 480-90-151, 480-90-156, 480-90-161, 480-90-166, 480-90-171, 480-90-176, 480-90-181, 480-90-191, and 480-90-211 should be repealed.

- 41 The Commission determines that WAC sections 480-90-123 and 480-90-153 should be further discussed. The Commission will issue a supplemental CR-102 covering WAC 480-90-123 and WAC 480-90-153.

- 42 The Commission also determines that WAC sections 480-90-001, 480-90-003, 480-90-008, 480-90-013, 480-90-018, 480-90-023, 480-90-028, 480-90-033, 480-90-103, 480-90-108, 480-90-113, 480-90-118, 480-90-128, 480-90-133, 480-90-138, 480-90-143, 480-90-148, 480-90-158, 480-90-163, 480-90-168, 480-90-173, 480-90-178, 480-90-183, 480-90-188, 480-90-203, 480-90-208, 480-90-213, 480-90-218, 480-90-223, 480-90-228, 480-90-233, 480-90-238, 480-90-303, 480-90-308, 480-90-313, 480-90-323, 480-90-328, 480-90-333, 480-90-338, 480-90-343, 480-90-348, 480-90-353, and 480-90-999 should be adopted to read as set forth in Appendix A, as rules of the Washington Utilities and Transportation Commission, to take effect pursuant to RCW 34.05.380(2) on the thirty-first day after filing with the Code Reviser.

ORDER

43 THE COMMISSION ORDERS That:

44 WAC 480-90-011, 480-90-016, 480-90-021, 480-90-026, 480-90-031 480-90-032, 480-90-036, 480-90-041, 480-90-043, 480-90-046, 480-90-051, 480-90-066, 480-90-071, 480-90-072, 480-90-076, 480-90-081, 480-90-086, 480-90-091, 480-90-096, 480-90-101, 480-90-106, 480-90-116, 480-90-126, 480-90-131, 480-90-136, 480-90-141, 480-90-146, 480-90-151, 480-90-156, 480-90-161, 480-90-166, 480-90-171, 480-90-176, 480-90-181, 480-90-191, and 480-90-211 are repealed.

45 WAC sections 480-90-001, 480-90-003, 480-90-008, 480-90-013, 480-90-018, 480-90-023, 480-90-028, 480-90-033, 480-90-103, 480-90-108, 480-90-113, 480-90-118, 480-90-128, 480-90-133, 480-90-138, 480-90-143, 480-90-148, 480-90-158, 480-90-163, 480-90-168, 480-90-173, 480-90-178, 480-90-183, 480-90-188, 480-90-203, 480-90-208, 480-90-213, 480-90-218, 480-90-223, 480-90-228, 480-90-233, 480-90-238, 480-90-303, 480-90-308, 480-90-313, 480-90-323, 480-90-328, 480-90-333, 480-90-338, 480-90-343, 480-90-348, 480-90-353, and 480-90-999 are adopted to read as set forth in Appendix A, as rules of the Washington Utilities and Transportation Commission, to take effect on the thirty-first day after the date of filing with the Code Reviser pursuant to RCW 34.05.380(2).

46 This Order and the rules set out below, after being recorded in the register of the Washington Utilities and Transportation Commission, shall be forwarded to the Code Reviser for filing pursuant to chapters 80.01 and 34.05 RCW and chapter 1-21 WAC.

DATED at Olympia, Washington, this day of May, 2001.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARILYN SHOWALTER, Chairwoman

RICHARD HEMSTAD, Commissioner

Note: The following is added at Code Reviser request for statistical purposes:

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 43, amended 0, repealed 36.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 43, amended 0, repealed 36.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.