



**PREPROPOSAL STATEMENT OF  
INQUIRY**  
**(RCW 34.05.310)**

**CR-101 (7/10/97)**  
Do **NOT** use for expedited repeal or adoption

**Agency:** WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

**Subject of possible rule making:** Proposed amendment to special contract rule, WAC 480-80-335. The Commission will explore matters relating to special contracts for electric, water, and natural gas utilities, including a review of existing WAC 480-40-335, under Docket No. **U-991928**. The inquiry will describe and define the essential terms and conditions of a special contract for the sale of regulated utility services subject to the approval of the Commission under WAC 480-80-335. The essential terms and conditions of a special contract under this section will be made available to the public, for inspection and copying, by the Commission in its review of any proposed special contract. The rule will be reviewed for content and readability pursuant to Executive Order 97-02, with attention to the rule's Need; Effectiveness and Efficiency; Clarity; Intent and Statutory Authority; Coordination; Cost; and Fairness. The review, under Docket No. **U-991928**, will include consideration of whether substantive changes or additions are required.

**(a) Statutes authorizing the agency to adopt rules on this subject:**  
RCW 80.01.040, RCW 80.04.160 and RCW 80.04.095.

**(b) Reasons why rules on this subject may be needed and what they might accomplish:** Executive Order 97-02 requires agencies to review significant rules with attention to the standards set out above. This includes reviewing whether current rules provide the results that they are originally intended to achieve and whether the rules are consistent with laws and with appropriate and lawful policies.

**(c) Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:** United States Department of Transportation, Office of Pipeline Safety; the Federal Energy Regulatory Commission; and State Departments of Health and Ecology. The Commission will invite each of those agencies to participate actively in the rulemaking.

**(d) Process for developing new rule (check all that apply):**

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe)

The Commission will ask for initial written comments, and will provide the opportunity for additional comments. The Commission will schedule one or more workshops with representatives of affected constituencies in a manner designed to develop consensus among affected interests regarding any rule proposal.

**(e) How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:**  
Stakeholder workshop - Thursday, January 20, 2000  
9:00 a.m. Room 108 - WUTC, 1300 S. Evergreen Park Drive S.W. Olympia, WA.  
**SEE ATTACHED FOR FURTHER DETAILS.**

**CODE REVISER USE ONLY**

*Filed with the Code Reviser's Office  
December 23, 1999 at  
11:30 a.m.  
WSR Number 00-02-011*

**NAME (TYPE OR PRINT)**  
CAROLE J. WASHBURN

**SIGNATURE**

**TITLE**  
SECRETARY

**DATE**  
December 23, 1999

(e) Interested persons may contact the Secretary, Washington Utilities and Transportation Commission, P. O. Box 47250, Olympia, Washington, 98504-7250, 360-664-1174 (Fax: 360-586-1150). Such persons may submit comments, as specified below, or may ask to be included in the Commission's list of interested persons for the proceeding.

### WRITTEN COMMENTS

Written comments in response to the CR-101 from persons interested in the subject matter of this proposed rulemaking may be filed with the Commission Secretary, referencing Docket No. U-991928, not later than **Friday, January 14, 2000**. All commenters are asked, but not required, to file an original and 10 copies of their written comments. The Commission also requests, but does not require, that comments be provided on a 3½ inch IBM formatted high-density disk, in WordPerfect version 5.1 or later, labeled with the docket number of this proceeding and the commenter's name and type of software used. The Commission may offer additional opportunities to provide written comments. Interested persons may file additional written comments in response to any such invitation. Interested persons may also attend and participate in the workshop described below and in any other workshop that may be scheduled. The Commission will provide written notice of any additional preproposal workshops to all commenters and to any other persons specifically asking to receive notice in this rulemaking proceeding.

### NOTICE OF WORKSHOPS

A workshop will be held on **Thursday, January 20, 2000**, beginning at 9:00 a.m., in the Commission Meeting Room 108, First Floor, Chandler Plaza, 1300 S. Evergreen Park Drive S.W., Olympia, Washington. The Commission's teleconference bridge line will be available for this workshop. A limited number of teleconference ports will be available and will be assigned one to an organization, first come first served. Persons wishing to attend via the teleconference bridge line must contact Nancy Moen at 360-664-1140 no later than 5:00 p.m., Friday, January 14, 2000. Questions may be addressed to Fred Ottavelli at 360-664-1297, or by e-mail at [fottavel@wutc.wa.gov](mailto:fottavel@wutc.wa.gov), or by mail at the address on this page.

## NOTICE

**TO CONTINUE RECEIVING NOTICES AND INFORMATION ABOUT THIS  
RULEMAKING**

-- The Commission wants to ensure its mailings are sent to persons who are interested in the topic and want to receive that information. ANY PERSON WHO COMMENTS will continue to receive notices and information. If you do not submit comments but wish to remain on the mailing list for this rulemaking, please advise the Records Center by any one of the following methods: (1) send a note with your name, address (or a copy of your mailing label), and telephone and fax numbers referencing Docket No. U-991928, and the words "Please keep me on the mailing list"; or (2) E-mail your name, address, telephone and fax numbers, referencing Docket No. U-991928, and the words "Please keep me on the mailing list" to [records@wutc.wa.gov](mailto:records@wutc.wa.gov). Please note that all information in the mailings will be accessible through the Commission's Internet web site at

<http://www.wutc.wa.gov/>. **THOSE PARTIES WHO DO NOT RESPOND MAY NOT RECEIVE FURTHER MAILINGS OR INFORMATION ON THE RULEMAKING.**