

January 22, 2010

**NOTICE OF OPPORTUNITY TO SUBMIT WRITTEN COMMENTS
ON PROPOSED RULE
(By Monday, February 22, 2010)
and
NOTICE OF PROPOSED RULE ADOPTION HEARING
(Set for Thursday, March 11, 2010, at 1:30 p.m.)**

RE: Rulemaking to Amend WAC 480-120-999, Adoption by reference
Docket A-091124

TO ALL INTERESTED PERSONS:

This letter is to inform you of the progress made in the Washington Utilities and Transportation Commission's (Commission) rulemaking in Docket A-091124, specifically WAC 480-120-999, Adoption by reference. This letter also provides notice of an opportunity to file written comments on the proposed rule and participate in the formal rule adoption hearing.

On October 7, 2010, the Commission filed an expedited rulemaking (CR-105) in this docket with the Code Reviser setting a deadline of December 8, 2009, for interested persons to submit written comments on proposed revisions to the adoption-by-reference rules in Title 480 WAC. The Commission received one written comment related to WAC 480-120-999. Under the expedited rulemaking statute, RCW 34.05.353, if a written notice of objection to the expedited rulemaking is timely filed and is not withdrawn, the notice of proposed expedited rulemaking is considered a statement of inquiry (CR-101). That means that a portion of this rulemaking cannot proceed on an expedited basis. However, to allow the other rules noticed in the CR-105 to go forward without delay, the Commission has adopted by separate order the rules noticed in the CR-105 with the exception of WAC 480-120-999¹, which will continue to be considered in this docket according to the standard rulemaking

¹ Adoption Order filed with the Office of the Code Reviser on January 14, 2010, at WSR #10-03-044.

process (CR-102). A summary/matrix of the comment received is posted to the UTC's web site at www.utc.wa.gov/091124.

On January 20, 2010, the Commission filed a CR-102 in this docket with the Code Reviser. This action begins the final part of the rulemaking process concerning WAC 480-120-999, which includes a written comment period, a public adoption hearing, and a decision by the Commission.

THE COMMISSION GIVES NOTICE of your opportunity to submit written comments on the proposed rule by filing with the Commission Executive Director and Secretary either by electronic transmission as described below, or by physical delivery to 1300 S. Evergreen Park Drive S.W., P.O. Box 47250, Olympia, Washington, 98504-7250, no later than 5:00 p.m., February 22, 2010. The proposed rule, as filed with the Code Reviser, is available for inspection on the Commission's web site at www.utc.wa.gov/091124. The Commission will send you a paper copy of the proposed rule or will send the proposal via electronic mail, if you ask.

Electronic copies. The Commission asks that you provide your comments in electronic format to improve public access, to ease providing comments, to reduce the need for paper copies, and to facilitate quotations from the comments. You may submit written comments via the Commission's Web portal at www.utc.wa.gov/e-filing or by electronic mail to the Commission's Records Center at records@utc.wa.gov. Please include:

- The docket number of this proceeding (A-091124).
- 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 ½ inch, IBM-formatted, high-density disk in .pdf Adobe Acrobat format or in .doc Word 97 or later format. Include all of the information requested above. The Commission will post on its web site all comments that are provided in electronic format. The web site is located at www.utc.wa.gov/091124.

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

THE COMMISSION GIVES FURTHER NOTICE of your opportunity to attend the public hearing and make oral comments about the proposal for the adoption of the proposed rule at 1:30 p.m., Thursday, March 11, 2010. This public hearing will be held in the Commission's Hearing Room, Second Floor, Richard Hemstad Building, 1300 S. Evergreen Park Drive, S.W., Olympia, Washington.

The Commission will post information about schedule and other aspects of the rulemaking, including comments, on its web site as information 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@utc.wa.gov>.
- 3) Mail written comments to the address below.

Please refer to Docket A-091124 when contacting the Commission to ensure that you are placed on the appropriate service list. The Commission's mailing address is:

Executive Director and Secretary
Washington Utilities and Transportation Commission
1300 South Evergreen Park Drive SW
P.O. Box 47250
Olympia, Washington 98504-7250

Questions: If you have questions about this Notice, about the rulemaking process, or this rulemaking in particular, you may contact Alan Lundeen. He may be reached by mail at the address on this Notice, by e-mail at alundeen@utc.wa.gov or by calling 360-664-1118.

Sincerely,

DAVID W. DANNER
Executive Director and Secretary