

March 5, 2001

**NOTICE OF PROPOSED RULE ADOPTION HEARING  
(March 14, 2001)**

**OPPORTUNITY TO SUBMIT WRITTEN COMMENT ON DRAFT  
ACCESS TO PREMISES RULE  
(March 15, 2001)**

**NOTICE OF RULEMAKING WORKSHOP  
ON DRAFT ACCESS TO PREMISES RULE  
(March 22, 2001)**

RE: Docket No. UT-990146  
Chapter 480-120 WAC Telecommunications – Access To Premises

TO ALL INTERESTED PERSONS:

This letter is to inform you of a planned change in content for the adoption hearing previously noticed for March 14, 2001; to request comment on a revised access to premises rule; and to notify you of an opportunity to attend a workshop on a draft access to premises rule.

**A. Proposed Rule Adoption Hearing—Exclusion of WAC 480-120-049, Access To Premises**

As previously noticed, the Commission will consider adoption of several sections of Chapter 480-120 WAC at its March 14 Open Meeting. The meeting will begin at 9:30 A.M. on Wednesday, March 14, 2001 and the Commission will consider adoption of the rules published in the Washington State Register #01-03-100 on January 19, 2001.

Staff will recommend to the Commission that it adopt the rules as printed, with the exception of proposed WAC 480-120-049, Access to premises. Staff has prepared an alternative to the proposed rule and is seeking comment on the alternative draft rule.

**B. Opportunity to Submit Written Comment on Access To Premises Draft Rule**

Enclosed with this notice is a draft rule concerning access to premises. This draft was prepared by staff as an alternative to the proposed Access to Premises rule. Comment is sought on the policy and legal issues raised by this draft and examples of the effect of exclusionary or restrictive agreements in the multi-tenant environment.

**NOTICE is hereby given of the opportunity to submit written comments on the proposed rules not later than 5:00 PM, Thursday, March 15, 2001. A paper copy is enclosed and the draft rule is available for inspection on the Commission's web site at [www.wutc.wa.gov/990146](http://www.wutc.wa.gov/990146). Please see the information at the end of this letter describing how to reach the Commission.**

**Electronic copies.** The Commission also requests, but does not require, that comments be provided in electronic format to facilitate quotations from the comments, enhance public access, and reduce the need for additional paper copies. Please help us by sending an electronic copy with your paper filing on a 3-1/2 inch, IBM-formatted, high density disk, in .pdf Adobe Acrobat format, reflecting the pagination of your original. Please also send us the text in your choice of .doc (Word 97 or later) or .wpd (Wordperfect 6.0 or later). Please include all of the following information on the label of the diskette:

- \* The docket number of this proceeding (UT-990146)
- \* The commenting party's name
- \* The title and date of the comment or comments; and
- \* The type of software used

Please use the three-letter extension noted above for all electronic files. You may also send your comments by electronic mail to the Commission's Records Center at [records@wutc.wa.gov](mailto:records@wutc.wa.gov); if you choose this means of submitting comments, please include all of the information requested above for the diskette label. The Commission will post on the Commission's web site all comments that are provided in electronic format. Document will be posted within twenty-four hours of receipt. The web site is located at <http://www.wutc.wa.gov/990146>.

**C. Notice of Rulemaking Workshop on Draft Access To Premises Rule**

We encourage your attendance and participation in the stakeholder workshop to discuss the Access to premises draft rule. The workshop will be held **Thursday, March 22, 2001** in Room 206 at the Commission's headquarters, beginning at 9:00 a.m. Free parking is available. The Commission's address is:

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

If you have questions about the items in this Notice, about other aspects of this rulemaking, or about the rulemaking process in general, you may contact Bob Shirley. He may be reached by surface mail at the address on this Notice, or by e-mail at [bshirley@wutc.wa.gov](mailto:bshirley@wutc.wa.gov), or by calling 360-664-1292.

Sincerely,

CAROLE J. WASHBURN  
Secretary

Enclosure