

RATES AND REGULATORY AFFAIRS
ONITA R. KING
Telephone: (503) 226-4211 X 3586
Facsimile: (503) 721-2532
Email: ork@nwnatural.com



April 25, 2001

Secretary
Washington Utilities &
Transportation Commission
P.O. Box 47250
Olympia, Washington 98504-7250

Re: Docket Number U-991301
480-090-193 - Customer notice requirements

NW Natural's comments on the above-referenced matter are provided here for consideration.

NW Natural does not support Alternative 2 for the simple reason that it requires that each customer receive at least 21-days notice prior to a filing's effective date. Staff's continued insistence that each customer receive notice within a time frame that is not possible with the standard notice methods practiced by utilities and under the standard 30-day statutory filing period, is, well, unreasonable. In order to comply with such requirement, the utility would be forced into filing on more than the statutory 30-days, or in the alternative, to notice all or some customers by direct mail. As stated in earlier comments to staff, a bifurcated approach to noticing customers is not an acceptable option.

Our comments are directed at Staff's Alternative 1 because the sections addressing prior notice do not specify an advance notice period or require that each customer receive notice. However, please note that we do have significant concerns about the proposed suspension of service section contained in this alternative. These concerns are addressed in detail in the following comments.

In addition to the comments noted here, we have attached red-lined and clean versions of editorial changes to Alternative 1 that we request be considered by staff in this effort.

Introductory paragraph.

We have no particular concerns about the statements included in this paragraph. Although, we do believe that staff's reference to how the commission might use the notice process is inappropriate and adds no value to the rule content. We offer other editorial changes that we think would improve readability and clarity. Please refer to the attached documents.

(1) Customer notice before commission action.

We understand how staff could decide to specify the requirements for notices about rate changes under Section (2) Suspension to allow notice to customers, since staff has viewed this as criteria that must be met to avoid suspension. However, we believe it would be better if the criteria were specified in Section (1) so that the user can be clear

as to what an acceptable notice of a rate change should include. We also suggest additional editorial changes that we believe improve readability and clarity.

(2) Suspension to allow notice to customers.

This section, as proposed, is troubling for several reasons.

1. Suspension vs. Extension. We suggest replacing the term “suspension” with the term “extension”. We do not interpret the intent of this rule as expecting that a filing be suspended in the usual sense of the term, but rather, that the effective date be extended to allow sufficient customer notice. We believe use of the term suspension carries an unnecessarily harsh connotation. Please see our suggested changes in the attached document.

2. Focus. If one focuses on the purpose of the rule – utility provided customer notice – then this rule is not the place to address what information the commission may or may not have from customers when deciding the merits of a particular filing. Any suspension, or extension as we would prefer, should be made only on the basis of whether notice was deemed sufficient given the nature of the filing.

At a minimum, we would expect disclosure and an opportunity to comment, on the process or criteria that staff and the commission would use to base a determination that *“it believes it does not have sufficient information from customers”*? Otherwise, the rule is completely arbitrary. There would be nothing to prevent staff from taking the position in every case (including a PGA filing) that notice to each customer of less than 30 days prior to an effective date is insufficient, and then recommend that the commission suspend every filing. Given staff’s posturing to date, this is clearly a possibility that is of concern to us. This approach would not only waste everyone’s time, but would be costly.

3. Prior Notice. While staff has modified their approach to the structure of the customer notice rule in this proposed version, it is clear that staff’s intent has not changed. Staff continues to return to the concept of a 30-day notice requirement for each customer, the very same issue that brought so much contention to this rule from the beginning of the review process. Staff’s approach in this version is nothing more than a back-door way of forcing the utility to provide a period of notice to each customer that has no statutory basis.

We believe that staff’s assumption that each customer must be individually noticed is naive and unreasonable. The statutory filing period is 30 days. Since staff cannot require more than the statute allows, it cannot require the utility to make a filing 60 days in advance of the requested effective date. However, a 60-day filing period would be necessary if staff continues to cling to the concept that reasonable notice happens only when every customer has received the notice at least 30 days in advance of the effective date. Absent a 60-day filing period, the proposed rule would force utilities to adopt a notice method that is not only inconsistent with the methods that have been most commonly used by utilities for many years, but that is the highest cost method available.

Rather than focus on how many days notice any one customer receives prior to a filing’s effective date, we suggest that staff focus on how to create a rule that encourages utilities to adopt customer notice practices that are the most likely to reach the largest number of customers in a short period of time and in such a way that the information is easy to access, is meaningful to the customer, and is the least cost option(s) available.

Neither the direct mail option nor the suspension option proposed will achieve this purpose. In fact, both are the most costly, and we think, the least consumer focused, than all of the options available.

In this company's opinion, the only notice period that would be reasonable to include in this rule is a period by which the utility must notice its customers once it has filed for a rate or service change. For example, "Each utility should issue notice to customers coincident with, but no more than 5 days, from the date of the filing".

Please see the attached documents for editorial suggestions on these issues.

Section 2(A)

Per earlier comments, we suggest that this section be moved to Section (1).

Section 2 (B)

We see no value added to the rule by separately stating what utility developed language must include, since it is clear from section (A) what is expected. Our suggested edits (shown under Section (1) in the attached documents) offer alternative wording that we believe further negates the need for this section.

Section 2 (c)

This section is not necessary given our recommended changes.

(3) Purchase Gas Cost Adjustment (PGA).

We support staff 's proposal to educate customers about the PGA process in advance of any filing. Any notice that carries the need to "educate" means that it cannot be effectively accomplished by bill message, by a printed statement on the envelope, and maybe not even by a single bill insert. This leaves only two viable options – newsletter or direct mail. Because of the expense of direct mail, it is not reasonable to use that method for this purpose. This leaves only the newsletter.

The newsletter option is very attractive to us. NW Natural publishes a newsletter about every two months or so. This newsletter has been well received by our customers and is a great conduit for customer education. The newsletter is mailed with the customer's monthly bill on a schedule that normally starts the 1st day of each of the months of March, May, July, September and November.

NW Natural is moving toward a PGA filing that carries an effective date of October 1. This means that a filing will be made on or about September 1. But, as you can see from the above schedule, the only month that provides the most realistic timing for such an educational piece is July. Including the notice in a September newsletter would mean that not every customer would have received the newsletter before October 1. This then makes the filing vulnerable to staff's proposed suspension rules. Our preference is to select July 1, but only so long as staff understands and accepts that the range of estimated impact on rates stated in a notice mailed in July (or even August) will not be based on a prepared filing, or even on actual cost changes, given that the utility often (at least in our experience) has only just completed supply contract negotiations the very week that the filing is issued. If staff insists that the numbers are from a prepared filing or from actual costs, then yet again, absent a 60-day filing period, the utility would be forced to notice customers by direct mail.

(4) Customer notice after final commission disposition.

We suggest that word "disposition" be changed to "action". In addition, we suggest that the statement "this section applies to items from the commission's open public meeting agenda, including the "no action" agenda." be deleted. For one reason, it may not necessarily hold true in all cases, and for another, it does nothing to clarify the type of change for which the notice is applicable.

(5) Formal hearing notice.

We support the inclusion of the parameters for notice on formal hearings into this rule. And, we appreciate staff's efforts toward clarifying when a formal hearing notice is required. However, we believe that the proposed rule continues to be unclear, and offer suggested changes in the attached documents. We have also proposed language that addresses a situation where 30 days notice may not be possible. Additional editorial changes are offered that we believe improve readability and clarity.

(6) Customer notice verification.

We appreciate staff's desire to be familiar with the notices utilities issue to customers. However, it is unclear why staff would require a formal verification report as proposed here. What value would such a report provide to staff? Surely it will be clear from a utility's filing as to which customers are affected. The filing would also likely specify how many customers are affected, if that information were pertinent to the filing. Further, for filings where advance customer notice is required, this company includes a copy of the customer notice with the filing. I'm sure other utilities do the same.

In short, we believe that the information staff seeks would already be contained in the utility's filing, and a separate report would simply be redundant and burdensome to the utility. Therefore, we suggest that this section be deleted entirely.

Please note, however, that we have suggested language under Section (1) that would require that a copy of the notice be included with the utility's filing, or immediately provided to the Commission within a reasonable period of time following the date the filing was issued.

(7) Commission assistance on customer notice.

While we have no real concerns about the content of this section as proposed, we find it unnecessary. All utilities have a natural relationship with the commission, whether by force or by default. As such, the availability of assistance from the commission is naturally assumed. Making the statement in a rule does little more than take up space.

(8) Other customer notice.

We have simple editorial suggestions to this section of the rule. Please refer to the attached documents.

Thank you again for the opportunity to comment in this proceeding.

Sincerely,

Onita R. King
Tariff Consultant

PROPOSED CLEAN VERSION

ALTERNATIVE 1 – NATURAL GAS UTILITIES

WAC 480-90-193. Customer notice requirements. This rule contains the customer notice requirements a utility must follow when the utility proposes to increase rates or change a tariffed service. In most cases only one notice will be required. However, the commission may order that additional or different notice be made if circumstances so warrant.

This rule does not contain the notice requirements for utilities that file an application to merge or consolidate any franchises, property, or facilities with any other company (see WAC 480-143-210).

A utility may request a waiver of this rule in accordance with WAC 480-90-008.

(1) Customer notice before commission action.

(a) Except for changes to rates and charges specified in Sections (3) and (4) of this rule, when a utility proposes to increase its rates or change the availability or terms or conditions of a tariffed service, it must notify affected customers before the requested effective date.

(b) Notices about a change in service must include at a minimum:

- i. The date the notice is issued;
- ii. The company's name and address;
- iii. A clear explanation of the change and the reason(s) for the change;
- iv. Instructions as to how customers may contact the utility if they have questions or need additional information; and
- v. Instructions as to how customers can participate in the commission's decision-making process, as suggested in subsection (c)(ix) of this section (1).

(c) Notices about rate increases must include, at a minimum:

- (i) The date the notice is issued;
- (ii) The company's name and address;
- (iii) A clear explanation of the reason(s) for the change;
- (iv) A comparison of current and proposed rates by class of service or by rate schedule;
- (v) The amount by which an average monthly bill is proposed to increase, by class of service or by rate schedule;
- (vi) The requested effective date and, if different, the implementation date;
- (vii) A statement that the commission has the authority to accept or adjust the rates proposed by the utility based on the results of the commission's investigation;
- (viii) Instructions as to how customers may contact the utility if they have questions or need additional information; and
- (ix) Instructions as to how customers can participate in the commission's decision-making process that includes, at a minimum, instructions on how to contact the commission by telephone, mail, fax, letter, or by e-mail. For example:

If you would like to comment on this proposal, it is important for you to do so now. Comments must be submitted in writing or presented in person at the commission's open public meeting. If

you have questions or you would like to be added to the mailing list for this case, you may contact the Washington Utilities and Transportation Commission at P.O. Box 47250, Olympia, WA 98504-7250; 1-800-562-6150; comments@wutc.wa.gov; or 360-664-3604(fax); or

(d) Notice shall be acceptable when made in one or more of the following ways: bill insert, bill message, printed on the bill envelope, direct mail to all affected customers, or by e-mail. E-mail notice is sufficient only when customer has pre-authorized the utility to use that method of notice.

(e) A copy of the notice must either be included with the utility's filing, or provided to the commission's Public Affairs Officer by mail, fax, or e-mail, within ___ days of the date the filing is issued.

(2) **Extension to allow notice to customers.** In most instances, notice will be considered sufficient when issued within 5 days of the issue date of the filing. However, when the commission determines that such notice was insufficient given the nature of the proposed change in rate or tariffed service, the commission may require that the utility extend the effective date of the filing by a period of time deemed reasonable under the circumstance, but in no event for a period greater than _____ days. The commission will not require an extension solely for lack of customer comments or customer participation levels.

(3) **Purchased Gas Cost Adjustment (PGA).** Notice of a purchased gas cost adjustment (PGA) is required before and after final commission action.

Prior Notice. Notice before commission action should serve to educate customers about the PGA process, should include a percentage range by which rates may change due to upcoming changes in natural gas prices, and should include instructions on how customers can obtain additional information from the utility.

Notice shall be considered valid when made in one or more of the following ways: newsletter, bill insert, bill message, printed on the bill envelope, direct mail to all affected customers, or by e-mail. E-mail notice is sufficient only when customer has pre-authorized the utility to use that method of notice.

Post Notice. Notice after final commission action will be made in accordance with Section (4) Customer notice after final commission action, of this rule.

(4) Customer notice after final commission action.

(a) A utility must notice its customers about changes to the following types of rates or charges at the time the change is reflected on the customer's bill:

- (i) Any change in a rate or charge a customer may incur without being quoted a rate or price by the utility (e.g., late payment fees, NSF fees, a one-time charge);
- (ii) Any change in local taxes;
- (iii) Any change in conservation program charges; and
- (iv) Any change due to purchased gas cost adjustments.

(b) Content of notice. At a minimum, the notice must include the effective date of the change, a brief description of the change, and instructions on how customers can obtain additional information from the utility.

(c) Notice shall be considered valid when made in one or more of the following ways: bill insert, bill message, printed on the bill envelope, direct mail to all affected customers, or by e-mail. E-mail notice is sufficient only when customer has pre-authorized the utility to use that method of notice.

(5) **Formal hearing notice.** Customer notice is required when the utility files for a rate increase or other tariff change for which the utility is aware at the time of filing that a formal hearing will be required. If notice is not made coincident with the filing, as provided under Section (1) of this rule, then notice must be issued to all affected customers at least thirty days prior to the scheduled hearing date established at the time of the pre-hearing conference.

In the event the time between the pre-hearing conference and scheduled hearing date is insufficient to allow 30 days prior notice by the utility by bill insert or other least cost alternative, the utility will issue the notice in such manner as allows for the largest number of customers possible to receive the notice prior to the scheduled hearing date.

(a) Content of notice: The notice must include all information required in Section (1)(c) of this rule, except that the information stated in subsection (c)(ix) shall be replaced with the following:

- (i) The date, time, and location of the public hearing;
- (ii) A statement that the Attorney General's Public Counsel Division will represent residential and small business customers;
- (iii) A statement as to how customers may contact the Public Counsel's office;
- (iv) Instructions on how to participate in the commission's process by mail, fax, letter, or by e-mail. For example:

If you would like to comment on this proposal, it is important for you to do so now. All written comments will be formally included in the hearing process as an exhibit in the case. Public hearing(s) have been scheduled to take public testimony on (date), (time), and (location). If you have questions or you would like to be added to the mailing list for this case, you may contact the Washington Utilities and Transportation Commission at P.O. Box 47250, Olympia, WA 98504-7250; 1-800-562-6150; comments@wutc.wa.gov; or 360-664-3604(fax). If you would like to comment on this proposal, it is important for you to do so now.

(b) Notice shall be considered valid when made in one or more of the following ways: bill insert, bill message, printed on the bill envelope, direct mail to all affected customers or, by e-mail. E-mail notice is sufficient only when customer has pre-authorized the utility to use that method of notice.

(c) **Public notice.** In addition to noticing all affected customers, a utility must notify at least one newspaper of general circulation in the area or areas where affected customers reside, and at least one radio station and at least one television station that broadcasts in the area or areas where affected customers reside.

(6) **Other customer notice.** The commission may require notice to customers other than described in this rule when the commission determines that such notice is warranted.

PROPOSED RED-LINED VERSION

ALTERNATIVE 1 – NATURAL GAS UTILITIES

WAC 480-90-193 Customer notice requirements.

This rule contains the customer notice sets out requirements a utility must follow when the utility proposes to increase rates or change a tariffed service. In most cases only one notice will be required. However, the commission may order that additional or difference notice be made if circumstances so warrant. for utilities to provide notice to their customers in certain circumstances. Notice is required to inform customers of a potential increase in rates or change in service, but it is also used to obtain input from the affected public, to assist the commission in its investigation to determine if a company-filed tariff revision is in the public interest.

This rule contains the criteria for five different types of customer notice.

- (1) Customer notice before commission action;
- (2) Suspension to allow notice to customers;
- (3) Purchase Gas Adjustment;
- (4) Customer notice after final commission disposition; and
- (5) Formal hearing notice.

Companies are encouraged to continue to work with commission staff on an informal basis to achieve the best type of customer notice possible so that in most cases the company must only notify its customers once. The commission may order additional or different notice be provided to customers, depending on the particular case.

This rule does not contain the notice requirements for utilities that file an application to merge or consolidate any franchises, property, or facilities with any other company (see WAC 480-143-210).

A utility may request a waiver of this rule in accordance with WAC 480-90-008.

(1) Customer notice before commission action.

(a) ~~(a)~~ Except for changes to rates and charges specified in Sections (3) and (4) of this rule, ~~when~~ a utility proposes to increase its rates or change the availability or terms or conditions of any tariffed restrict access to a service (e.g., discontinue a service, or limit access to service by imposing a new usage level on existing services), it must notify affected customers before the requested effective date.

(b) Notices about a change in service must include at a minimum:

- i. The date the notice is issued;
- ii. The company's name and address;
- iii. A clear explanation of the change and the reason(s) for the change;
- iv. Instructions as to how customers may contact the utility if they have questions or need additional information; and
- v. Instructions as to how customers can participate in the commission's decision-making process, as suggested in subsection (c)(ix) of this Section (1).

(c) Notices about rate increases must include, at a minimum:

- (i) The date the notice is issued;
- (ii) The company's name and address;
- (iii) A clear explanation of the reason(s) for the change;
- (iv) A comparison of current and proposed rates by class of service or by rate schedule;

(v) The amount by which an average monthly bill is proposed to increase, by class of service or by rate schedule;

(vi) The requested effective date and, if different, the implementation date;

(vii) A statement that the commission has the authority to accept or adjust the rates proposed by the utility based on the results of the commission's investigation;

(viii) Instructions as to how customers may contact the utility if they have questions or need additional information; and

(ix) Instructions as to how customers can participate in the commission's decision-making process that includes, at a minimum, instructions on how to contact the commission by telephone, mail, fax, letter, or by e-mail.

For example:

If you would like to comment on this proposal, it is important for you to do so now. Comments must be submitted in writing or presented in person at the commission's open public meeting. If you have questions or you would like to be added to the mailing list for this case, you may contact the Washington Utilities and Transportation Commission at P.O. Box 47250, Olympia, WA 98504-7250; 1-800-562-6150; comments@wutc.wa.gov; or 360-664-3604(fax); or

~~(b) Content of notice. Notices under this section must clearly describe what the company has requested, show the current and proposed rates, and why the request is necessary. Notices must describe how customers may contact the utility if they want additional information and how they can participate in the commission's decision-making process by listing the commission's mailing address, toll-free phone number and e-mail address.~~

~~(c)-(d) Notice shall be acceptable when made in one or more of the following ways: Methods of notice permitted include: bill insert, bill message, printed printing on the billing envelope, direct mail to all affected customers, a separate mailing or, if the utility has the capability and the customer has authorized, by e-mail. E-mail notice alone is sufficient only when customer has pre-authorized the utility to use that method of notice.~~

(e) A copy of the notice must either be included with the utility's filing, or provided to the commission's Public Affairs Officer by mail, fax, or e-mail, within _____ days of the date the filing is issued.

~~(2) **Suspension Extension to allow notice to customers.** In most instances, notice will be considered sufficient when issued within 5 days of the issue date of the filing. However, when ~~When~~ the commission determines that such notice was insufficient given the nature of the proposed change in rate or tariffed service, the commission may require that the utility extend the effective date of the filing by a period of time deemed reasonable under the circumstance, but in no event for a period greater than _____ days. ~~believes it~~ does not have sufficient information from customers to determine whether a tariff filing is fair, just, reasonable and sufficient, the commission will suspend the filing to permit appropriate customer notice and opportunity for comment. If the utility has provided prior notice in the manner required by this rule, ~~T~~the commission will not require an extension suspend the filing solely for because of a lack of customer comments or customer participate levels. information from customers. If the utility has provided notice~~

~~that meets the criteria set out below it need not provide additional notice under this section:~~

~~(a) Amount of prior notice. A utility must provide at least thirty days' notice to each affected customer.~~

~~(b) Content of notice for increase in rates. Each customer notice must include, at a minimum;~~

~~(i) The date the notice is issued;~~

~~_____ (ii) The company's name and address;~~

~~_____ (iii) A brief explanation of the reason(s) the utility has requested the rate change (e.g., increase in labor costs, recovery of new plant investment, and increased office expenses, such as, postage and customer billing);~~

~~_____ (iv) A comparison of current and proposed rates by service;~~

~~_____ (v) An example showing the monthly increase of the average customer's bill based on the proposed rates (e.g., "Based on the proposed rates, a typical gas customer using an average of eighty therms per month would see an average monthly increase of \$2.74.");~~

~~_____ (vi) When the rates will be billed (i.e., monthly or bi-monthly);~~

~~_____ (vii) The requested effective date and, if different, the implementation date;~~

~~(viii) A statement that the commission has the authority to set final rates that vary from the utility's request, which may be either higher or lower depending on the results of the investigation;~~

~~(ix) A description of how customers may contact the utility if they have specific questions or need additional information about the proposal; and~~

~~(x) Public involvement language. A utility may choose from (A) commission-suggested language, or (B) utility-developed language.~~

~~(A) Commission-suggested language:~~

~~If you would like to comment on this proposal, it is important for you to do so now. Comments must be submitted in writing or presented in person at the commission's open public meeting. If you have questions or you would like to be added to the mailing list for this case, you may contact the Washington Utilities and Transportation Commission at P.O. Box 47250, Olympia, WA 98504-7250; 1-800-562-6150; comments@wutc.wa.gov; or 360-664-3604(fax); or~~

~~(B) Utility-developed language must include the commission's mailing address and toll-free number (1-800-562-6150), and a brief explanation:~~

~~(I) How to participate in the commission's process by mailing or faxing a letter, or submitting an e-mail [<comments@wutc.wa.gov>](mailto:comments@wutc.wa.gov); and~~

~~(II) How to contact the commission for process questions or to be notified of the scheduled open meeting at which the proposal will be considered by the commission.~~

~~(c) Methods of notice permitted include: bill insert, bill message, printing on the billing envelope, or a separate mailing to all affected customers or, if the utility has the capability and the customer has authorized, by e-mail.~~

~~(3) **Purchased Gas Cost Adjustment (PGA)**. Notice of a purchased gas cost adjustment (PGA) is required before and after final commission action disposition.~~

Prior Notice. Notice before commission ~~action should serve disposition is~~ to educate customers about the PGA process, should include a of a potential increase in natural gas prices.

~~Prior PGA Notice. The notice should clearly define what a PGA is and explain how it works; the range of the estimated percentage range by which rates may change due to upcoming changes in natural gas prices, and should include instructions on how customers can obtain~~ of impact to customers and a utility contact phone number for additional information from the utility.

~~(b) Method permitted: Notice shall be considered valid when made in one or more of the following ways: a newsletter, bill insert, bill message, printed printing on the bill~~ ing

~~envelope, direct mail or separate mailing to all affected customers or, if the utility has the capability and the customer has authorized, by e-mail. E-mail notice is sufficient only when customer has pre-authorized the utility to use that method of notice.~~

Post Notice. Notice after final commission action will be made in accordance with disposition [see Section (4) Customer notice after final commission action, of this rule. disposition for content and method permitted].

(4) Customer notice after final commission action disposition. A utility must notice its The purpose of this notice is to inform customers about of changes to the following types of to rates or charges that will appear on customer bills. This section applies to items from the commission's open public meeting agenda, including the "no action" agenda.

~~(a) Notice must be provided to each affected customer at the time the change charges is reflected on the customer's bill: are applied to the bill, when a utility increases rates for:~~

~~(i) Any change in a rate or charge a customer may incur without being quoted a rate or price by the utility (e.g., late payment fees, NSF fees, a one-time charge);~~

~~(ii) Any change in local taxes;~~

~~(iii) Any change in conservation program charges; and~~

~~(iv) Any change due to purchased gas cost adjustments. (for increase and decrease in rates).~~

Content of notice. At a minimum, the notice after final commission disposition must include the effective date of the change, a brief clear description of the change, s to rates or services and a utility contact number where customers may seek and instructions on how customers can obtain additional information from the utility.

~~(e)(b) Methods of notice. Methods of notice permitted include: Notice shall be considered valid when made in one or more of the following ways: bill insert, bill~~

~~message, printed printing on the billing envelope, direct mail a separate mailing to all affected customers or, if the utility has the capability and the customer has authorized, by e-mail. E-mail notice alone is sufficient only when customer has pre-authorized the utility to use that method of notice.~~

(5) Formal hearing notice. Customer notice is required when the utility files for a rate increase or other tariff change for which the utility is aware at the time of filing that a formal hearing will be required. If notice is not made coincident with the filing, as provided under Section (1) of this rule, then notice must be issued For formal cases where there is a hearing to take testimony from the public, the utility will be required to provide customer notice. A utility must provide notice to all each affected customers at least thirty days prior to before the scheduled hearing date established at the time of the. The timing and location of the hearing(s) will be addressed in the pre-hearing conference order.

In the event the time between the pre-hearing conference and scheduled hearing date is insufficient to allow 30 days prior notice by the utility by bill insert or other least cost alternative, the utility will issue the notice in such manner as allows for the largest number of customers possible to receive the notice prior to the scheduled hearing date.

(a) Content of notice: All information contained in Section (1)(c) of this rule, except that the information stated in subsection (c)(ix) shall be replaced with the following: (2)(b) must be included in the customer notice with the exceptions of section (2)(b)(x). In addition, the following language must be included:

- (v) The date, time, and location of the public hearing;
- (vi) A statement that the Attorney General's Public Counsel Division will represent residential and small business customers;
- (vii) A statement as to how customers may contact the Public Counsel's office;
- (viii) Instructions on how to participate in the commission's process by mail, fax, letter, or by e-mail. For example:

(i) If applicable, a statement that the Attorney General's Public Counsel Division will represent residential and small business customers. This should include Public Counsel's phone number (206-464-6907) and website address (www.wa.gov/ago/utility).

(ii) Public involvement language. A company may choose from (A) commission-suggested language, or (B) company-developed language.

(A) Commission-suggested language:

If you would like to comment on this proposal, it is important for you to do so now. All written comments will be formally included in the hearing process as an exhibit in the case. Public hearing(s) have been scheduled to take public testimony on (date), (time), and (location). If you have questions or you would like to be added to the mailing list for this case, you may contact the Washington Utilities and Transportation Commission at P.O. Box 47250, Olympia, WA 98504-7250; 1-800-562-6150; comments@wutc.wa.gov; or 360-664-3604(fax). If you would like to comment on this proposal, it is important for you to do so now. or

(B) Company-developed language must include the commission's mailing address and toll-free number (1-800-562-6150), and a brief explanation:

- (I) How to participate in the commission's process by mailing or faxing a letter, or submitting an e-mail (comments@wutc.wa.gov);
- (II) How to contact the commission for process questions; and
- (III) The date, time and location of the public hearing.

(b) Methods of notice. Methods of notice permitted include: Notice shall be considered valid when made in one or more of the following ways: bill insert, bill

message, printed printing on the billing envelope, direct mail a separate mailing to all affected customers or, if the utility has the capability and the customer has authorized, by e-mail. E-mail notice alone is sufficient only when customer has pre-authorized the utility to use that method of notice.

(c) Public notice. Who must receive notice.—In addition to noticing all each affected customers, a utility must notify at least one newspaper of general circulation in the area or areas where affected customers reside, and at least one radio station and at least one television station that broadcasts in the area or each of the areas where affected customers reside.

(6) Customer notice verification.—Within ten days of issuing notices described in this rule, a utility must file a declaration to the commission's designated public affairs officer that notice has been given to customers, which must include:

- (a) The method used to notice customers;
- (b) When the notice was first issued to customers;
- (c) How many customers are affected; and
- (d) A copy of the notice.

———(7) Commission assistance on customer notice.—A company may request the commission's designated public affairs officer to:

- (a) Assist with customer notice questions;
- (b) Review draft customer notice language; and———
- (c) Offer suggestions on draft customer notice language.

If a company would like assistance, it should submit a draft notice for review at least two working days before the planned printing date.

(8) Other customer notice. The commission may require notice to customers other than described in this rule when the commission determines that such notice is warranted. additional customer education is needed.