

Chapter 480-80

**UTILITIES GENERAL—
TARIFFS, PRICE LISTS, AND CONTRACTS**

Docket No. U-991301

Stakeholder Legislative Draft 1

May 9, 2001

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1 **I. GENERAL RULES**

2
3 **WAC**

4
5 **Amend**

6 **480-80-010 Application of rules.** *[Includes subsection (4) from Docket U-991301,*
7 *effective 5/5/01]*

8 (1) The rules in this chapter apply to any company that is subject to the jurisdiction of
9 the commission as to rates and services under the provisions of RCW 80.04.010,
10 chapter 80.28 RCW and chapter 80.36 RCW.

11 (2) The tariff, price list, and contract provisions filed by utilities must conform with
12 these rules. If the commission accepts a tariff, price list, or contract that conflicts with
13 these rules, the acceptance does not constitute a waiver of these rules unless the
14 commission specifically approves the variation consistent with WAC 480-80-0X1,
15 Exemption from rules in chapter 480-80 WAC. Tariffs, price lists, or contracts that
16 conflict with these rules without approval are superseded by these rules.

17 (3) Any affected person may ask the commission to review the interpretation of
18 these rules by a company or customer by posing an informal complaint under WAC
19 480-09-150, Informal complaints, or by filing a formal complaint under WAC 480-09-
20 420, Pleadings and briefs--Application for authority--Protests.

21 (4) Competitively classified telecommunications companies previously granted
22 exemptions from chapter 480-80 WAC Utilities General – Tariff are not exempt from
23 WAC 480-80-010 through 480-80-0X3, WAC 480-80-2X1 through 480-80-2X5, and
24 WAC 480-80-3X4. Exemptions from the provisions of chapter 480-80 WAC include only
25 the provisions in effect at the time the exemption was granted.

26 (5) No deviation from these rules is permitted without written authorization by the
27 commission. Violations will be subject to penalties as provided by law.

28
29 ~~(1) These rules shall apply to any public service company, defined as such by the laws~~
30 ~~of the state of Washington, as amended, operating a gas, electric, telecommunications,~~
31 ~~water or irrigation plant which is subject to the jurisdiction of the Washington utilities and~~
32 ~~transportation commission as to rates and service.~~

33 ~~(2) Upon acceptable showing by any utility, the commission may waive or modify,~~
34 ~~as to that utility, the provisions of any rule herein contained, except when such~~
35 ~~provisions are fixed by statute.~~

36 ~~(3) In no case shall any utility deviate from these rules unless authorized in~~
37 ~~writing by the commission.~~

38 ~~(4) Competitively classified telecommunications companies previously granted~~
39 ~~exemptions from chapter 480-80 WAC Utilities General – Tariff are not exempt from~~
40 ~~WAC 480-80-035 Price lists and WAC 480-80-325 Contract for service. Exemptions~~
41 ~~from the provisions of chapter 480-80 WAC include only the provisions in effect at the~~
42 ~~time the exemption was granted.~~

43
44 **Comments:**

45 1. *Revisions reflect common language adopted in other rulemakings.*

46
47
48

New Section

49 **480-80-0X1 Exemptions from rules in chapter 480-80.**

50 (1) The commission may grant an exemption from the provision of any rule in this
51 chapter, when doing so is consistent with the public interest, the purposes underlying
52 regulation, and applicable statutes.

53 (2) To request a rule exemption, a person must file with the commission a written
54 request identifying the rule for which an exemption is sought, giving a full explanation of
55 the reason for requesting the exemption.

56 (3) The commission will assign the request a docket number, if it does not arise
57 in an existing docket, and will schedule the request for consideration at one of its
58 regularly scheduled open meetings or, if appropriate under chapter 34.05 RCW, in an
59 adjudication. The commission will notify the person requesting the exemption, and
60 other affected persons, of the date of the hearing or open meeting when the
61 commission will consider the request.

62 (4) In determining whether to grant the request, the commission may consider
63 whether application of the rule would impose undue hardship on the petitioner, of a
64 degree or a kind different from hardship imposed on other similarly situated persons,
65 and whether the effect of applying the rule would be contrary to the purposes of the rule.

66 (5) The commission will enter an order granting or denying the request or
67 setting it for hearing, pursuant to chapter 480-09 WAC.

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69

Comments:

70 *1. Reflects common language adopted in other rulemakings.*

71
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73

Amend

74 **480-80-020 Saving clause. Additional requirements.**

75 (1) These rules do not relieve any company from any of its duties and obligations under
76 the laws of the state of Washington.

77 (2) The commission retains the authority to impose additional or different
78 requirements on any company in appropriate circumstances, consistent with the
79 requirements of law.

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~~These rules shall not be construed as affecting the validity of any presently effective
tariff provisions or pending tariff revisions. Attention shall be given by each utility to
bringing presently effective tariffs into compliance with these rules so that all tariffs shall,
within a reasonable period of time, conform as to tariff arrangement.~~

86 **Comments:**

87 *1. Reflects common language adopted in other rulemakings.*

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New Section

480-80-0X2 Severability.

If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of the chapter or the application of the provision to other persons or circumstances is not affected.

Comments:

1. *Reflects common language adopted in other rulemakings.*

Amend

480-80-030 Definitions.

“Banded rate” means a tariff schedule filed by a natural gas, electric, or telecommunications company that has a rate with a minimum and maximum amount.

“Business office” means those offices within the state of Washington that are open to the public during normal business hours.

~~(1) “Company” “Utility,” when used in these rules, means every any person, partnership, firm or corporation operating a public service gas utility, electric utility, telecommunications company, water company, or irrigation plant that is subject to the jurisdiction of the commission as to rates and service.~~

~~(2) “Commission,” when used in these rules, means the Washington utilities and transportation commission.~~

“RCW” means the Revised Code of Washington.

~~(3) “Tariff” as used in these rules, shall mean the complete tariff or any portion thereof containing those rate schedules and rules and regulations relating to charges and service which is regularly established under and in accordance with these rules and regulations relating to charges and service which is regularly established under and in accordance with these rules and regulations and the applicable statutes and which is applied to specific groups of customers within any particular territory but shall exclude special contracts for special rates, service and facilities.~~

~~(4) “Banded tariff,” as used in these rules means a tariff filed by a telecommunications company in which at least one element of the rate schedule (WAC 480-80-230) is a band consisting of a maximum and minimum rate within which the rate may vary.~~

~~(5) “Number,” “numbers,” “numbered” and “numbering,” when used in these rules, means either a letter of the alphabet or a numeral unless otherwise specifically indicated.~~

“Telefacsimile” means the transmittal of electronic signals over telephone lines for conversion into written text.

“WAC” means the Washington Administrative Code.

132 **II. TARIFFS**

133

134 **Amend 480-80-040**

135 **480-80-0401X1 Definition and use of tariffs ~~Tariff.~~**

136 (1) "Tariff" means a publication containing terms and conditions of regulated service,
137 including rates, charges, and methods that a company uses to calculate bills for goods,
138 services and commodities provided to customers. The rules and regulations governing
139 the service obligations of the company and its customers for each territory served are
140 contained in the company's tariff, subject to the laws and rules of the state of
141 Washington, and applicable commission orders. A tariff does not supersede a law or
142 rule. A tariff (or portion of a tariff) in conflict with a law or rule is deemed void to the
143 extent of the conflict.

144 ~~(2) Each company utility shall must file with the commission in accordance with~~
145 ~~the public service laws of the state of Washington and these rules and regulations, its~~
146 ~~tariff or tariffs containing schedules showing all rates, charges, tolls, rentals, rules and~~
147 ~~regulations, privileges, and facilities established by that company utility for goods,~~
148 ~~services or commodities provided rendered or commodity furnished.~~

149 (3) Companies may not implement provisions contained in tariff filings until the
150 commission approves the filing by issuing an order or until the provisions are allowed to
151 become effective by operation of law. **[from -270(1)]**

152 (4) If the commission issues an order, the company must refile its tariff marking
153 each affected sheet as follows: **[from -270 (2)]**

154
155 By authority of order of Washington Utilities and Transportation Commission
156 Docket No. _____.

157
158 (5) Companies must file tariffs that:

159 (a) Are in accordance with the statutory notice requirements in WAC 480-
160 80-1X7 and WAC 480-80-1X9;

161 (b) Are clearly marked with the effective date on each sheet of the filing;

162 (c) Are free from all charges for postage; **[from -060]**

163 (d) Include an original and two copies of each tariff; and

164 (e) Include a transmittal letter describing the changes proposed. WAC 480-
165 80-1X2 describes the requirements for a transmittal letter.

166 The commission may reject tariff filings that do not conform to these
167 requirements.

168 (6) After acceptance of the tariff filing, the commission will return one copy of the
169 transmittal letter and one copy of the tariff to the company marked with the receipt date.
170 **[from - 050]**

171 (7) Telefacsimile transmission.

172 (a) The commission will accept tariffs or tariff revisions submitted by
173 telefacsimile transmission:

174 (i) If the tariff or tariff revision complies with all other requirements
175 imposed by statute or rule including those in paragraph (4) and (5) of this subsection;
176 and

177 (ii) If the company delivers the signed original and two copies of the tariff
178 or tariff revisions to the records center of the commission the following business
179 day.

180 (b) The commission will use the date and time the facsimile is received and
181 printed at the record center as the official file date.

182 (c) Telefacsimile tariffs received on a Saturday, Sunday, holidays, or after
183 4:00 p.m. will be dated as received on the following business day. [from -070]

184
185 **Comments:**

186 1. *Clarifies that a tariff is either approved by the Commission through an order or a*
187 *tariff is allowed to go into effect by operation of law.*

188 2. *Reduces faxing time by one hour to allow for processing the same business day.*
189

190
191 **New Section**

192 **480-80-1X2 Tariff filing instructions.**

193 (1) When a company is required to have a tariff on file with the commission, the
194 company must file and maintain its tariff(s) with the commission with the content
195 described in 480-80-1X3 and in the format detailed in 480-80-1X4.

196 (2) The company must submit a transmittal letter with all tariff filings. The
197 transmittal letter must:

198 (a) Identify all new tariffs and tariff revisions;

199 (b) Explain why the tariff is being filed;

200 (c) Convey the requested action in understandable terms. Although technical
201 terms are acceptable, descriptions also need to use common terms so that people can
202 readily understand the impact of the filing;

203 (d) Avoid acronyms if possible, but if they are useful, define them first;

204 (e) Convey what is prompting the filing, (e.g. increased costs of doing business,
205 filing in compliance with commission orders.);

206 (f) Refer to the commonly-used name of that proceeding as well as the docket
207 number;

208 (g) Describe which services are impacted, and the dollar amount and percentage
209 of increase or decrease if the filing is a rate change. If a combination of changes are
210 filed (i.e. increases and decreases), each change should be described, as well as the
211 net impacts;

212 (h) Describe the general effect of, and reasons for, the change if filings involve
213 only text changes; and

214 (i) Include an authorizing signature statement in the following form:

215
216 I certify (or declare) under penalty of perjury under the laws of the
217 state of Washington that I am an authorized tariff issuing agent for
218 (name of company) and the attached tariff filing to the best of my
219 knowledge and belief, is true, correct and complete.
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(Date) (Signature)

(Place) (Print Name)

- (3) The company must include materials necessary to support the tariff filing.
- (4) Requirements in this subsection are not preemptive of any filing requirements contained in WAC 480-09-330 through WAC 480-09-340, related to general rate case filings, or any other rule or commission order regarding tariff filings. Specifically, companies are subject to rules regarding rate filings in chapter 480-09 WAC, including but not limited to:
 - (a) WAC 480-09-015 - Submission of "confidential" information;
 - (b) WAC 480-09-101 - When communications are received;
 - (c) WAC 480-09-120 - Filing and service filing by telefacsimile; number of copies;
 - (d) WAC 480-09-330 - Filing requirements – General rate increases;
 - (e) WAC 480-09-337 - Filing requirements – General rate increases water companies; and
 - (f) WAC 480-09-340 - Compliance filings.

Comments:

- 1. Staff suggests eliminating the need to sign every sheet of a tariff. Instead, a requirement to include an authorizing letter verifying the authenticity of the tariff will be added. The authorizing statement will also eliminate the need for the commission and company to maintain an authorized tariff issuer list.*
- 2. Provides guidance for what needs to be included in the transmittal letter as set forth in Commission letter to the companies dated August 19, 1998.*

New Section

480-80-1X3 Tariff content.

Each tariff must include a title page, an index, a legend of symbols, a rules section governing service, and a rate schedule section. [From -160] The tariff form requirements identified in subsection 480-80-1X4(3) apply to all sheets in the tariff. In addition, each respective section of the tariff must include the following:

- (1) Title page. The title page is the first sheet of the tariff. The title page must include:
 - (a) The cancelled tariff number if applicable;
 - (b) The types of services covered by the tariff;
 - (c) A description of the territory that applies to the tariff; and
 - (d) The complete name, address, phone number, unified business identifier (UBI) number, and if available, the electronic mail address and web page address of the issuing company. [from -200]
- (2) Index. The index follows the title page. The index must be updated, if applicable, whenever a tariff sheet is added, revised, or cancelled. [from -210] The index must contain a complete and accurate list of the contents of the tariff by:
 - (a) Section title (index, legend of symbols, rules, and rate schedules);

267 (b) Schedule number;
268 (c) Sheet title; and
269 (d) Sheet number. [from –210]
270 (3) Legend of Symbols. The legend of symbols follows the index. This section
271 must identify all symbols used in the tariff to identify changes resulting from the filing of
272 the specific sheet revision. The list must include the required symbols and their
273 meanings, and any other company specific symbol with its meaning consistent with the
274 requirements identified in WAC 480-80-1X4(6).
275 (4) Rules section. The rules section is a set of sheets that follows directly after
276 the legend of symbols. It is a complete set of rules governing the terms and conditions
277 of services in the tariff. Companies must publish rule sheets on consecutively
278 numbered standard tariff sheets. [from – 220(2)]
279 (a) The rules section must include, at a minimum, the following, if applicable:
280 (i) Application for service;
281 (ii) Definition of each service;
282 (iii) Reconnection charge;
283 (iv) Service connection;
284 (v) Installation of meters;
285 (vi) Distribution main extension and line extension (except where filed as a
286 rate schedule);
287 (vii) Responsibility for, and maintenance of, distribution plant and service
288 lines;
289 (viii) Access to premises;
290 (ix) Interruptions to service;
291 (x) Bills;
292 (xi) Deposits;
293 (xii) Delinquent accounts;
294 (xiii) Discontinuance of service;
295 (xiv) The method the company will use to give notice to its customers of
296 changes within the limits of a banded rate; and
297 (xv) Additional rules as necessary. [from –220(1)]
298 (b) Gas companies must include the requirements set out in:
299 (i) WAC 480-90-233(2) Purchased gas adjustment (may be included in
300 rules section or rates section);
301 (ii) WAC 480-90-330(1) Heating value of gas; and
302 (iii) WAC 480-90-343 Statement of meter test procedures.
303 (c) Electric companies must include the requirements set out in WAC 480-100-
304 343 Statement of meter test procedures.
305 (5) Rate schedule section.
306 (a) The rate schedule section is the last set of sheets in the tariff. Rate schedule
307 sheets must include the following, if applicable:
308 (i) Schedule number;
309 (ii) Title describing service (may include customer class, location available,
310 and whether service is optional);
311 (iii) Availability;

312 (iv) Rate;
313 (v) Minimum charge;
314 (vi) Discount; and
315 (vii) All other factors entering into the computation of the bills under the
316 schedule.

317 (b) Telecommunications companies must also provide the following information,
318 when applicable:

319 (i) Exchange rate schedules that include:

- 320 (A) Primary rate schedules;
- 321 (B) Private branch exchange rate schedules;
- 322 (C) Miscellaneous rate schedules;
- 323 (D) Base rate area maps; and
- 324 (E) Exchange area maps.

325 (ii) Inter-exchange service rate schedules that include:

- 326 (A) Basic rate schedules;
- 327 (B) Supplementary rate schedules; and
- 328 (C) List of toll points. [From -230]

329

330 **Comments:**

- 331 *1. Adds a requirement to include a legend of symbols. This requirement will*
- 332 *improve the readability of the tariffs and will provide a place to list any company*
- 333 *unique symbols that are allowed in 480-80-1X4.*
- 334 *2. Removes the requirement to include telegraph rate schedules as Staff believes it*
- 335 *is no longer applicable.*
- 336 *3. Clarify stakeholder understanding of what (4)(a)(vii) means.*

337

338

339 **New Section**

340 **480-80-1X4 Tariff format.**

341 (1) Tariff format. Companies must clearly print or type all tariffs on eight and one-half
342 inch by eleven inch paper, with margins of at least one-half inch on each side. [from
343 -140].

344 **(2) Tariff numbering.**

345 (a) Companies filing more than one kind of service, such as electric and gas,
346 must file separate tariffs for each type of service.

347 (b) Each new tariff must use the next available WN U-number. The WN U-
348 number must be the official designation of the tariff. [From -150]

349 (3) Sheet requirements. Every sheet of the tariff must contain the:

350 (a) Tariff number;

351 (b) Tariff sheet number;

352 (c) Name of the company issuing the tariff;

353 (d) Effective date; [From -160] and

354 (e) A blank rectangle area in the upper right hand corner, two inches wide and
355 one and one-half inches high, for commission use.

- 356 **(4) Sheet numbering.**
357 **(a) Each tariff sheet must have a different sheet number.**
358 **(b) The first time a tariff sheet is published, the company must mark it as “original**
359 **sheet.”**
360 **(c) The company must use the same sheet number on all subsequent revisions**
361 **and number the revised sheets sequentially as follows:**

362 On the first revision, designate the sheet as:

363 FIRST REVISION OF SHEET
364 CANCELLING
365 ORIGINAL SHEET

366 On the second revision, designate the sheet as:

367 SECOND REVISION OF SHEET
368 CANCELLING
369 FIRST REVISION OF SHEET

370 **(d) Each tariff revision sheet must use consecutive revision numbers and indicate**
371 **the cancellation of the superseded sheet.**

372 **(e) The commission will not consider tariff sheets that have been rejected or**
373 **withdrawn before they become effective when numbering subsequent tariff revisions.**

374 **(f) When a company cancels and removes a tariff sheet, it must not reactivate the**
375 **sheet during the life of the tariff unless it uses the appropriate revision number and**
376 **contains the same basic information. [from -180]**

377 **(5) Reserving sheet numbers.** In the construction of a tariff it may be
378 necessary in the future to file additional rates and rules. To provide a proper place for
379 these subsequent filings in proper relation to schedules already filed, reservation of
380 sheet numbers should be considered. **[from-190]**

381 **(6) Tariff symbols.** Each time a tariff sheet(s) is revised, companies must code
382 all changes to the previous version with a tariff symbol.

383 **(a) Tariff revisions must include symbols that indicate the purpose and effect of**
384 **the change.**

385 **(b) Companies must locate the symbols on the right hand side of the changed**
386 **text within the margin.**

387 **(c) Companies must use the following list of symbols for the purposes identified:**

388 **D - to signify discontinued rate, service, regulation or condition;**

389 **N - to signify new rate, service, regulation, condition or sheet;**

390 **I - to signify a rate increase;**

391 **R - to signify a rate reduction;**

392 **C - to signify changed condition or regulation;**

402 K - to signify that material has been transferred to another sheet in the
403 tariff (A footnote is required on the tariff sheet to identify the
404 material's new sheet number.);

405 M - to signify that material has been transferred from another sheet in
406 the tariff (A footnote is required on the tariff sheet to identify the
407 material's former sheet number.);

408
409 T - to signify a change in text for clarification;

410
411 O - to signify no change (This symbol is discretionary unless specifically
412 requested by the commission).

413
414 (d) Companies may use additional symbols for other purposes as long as the
415 additional symbols are identified in the company's tariff as provided for in WAC 480-80-
416 1X3(3) Tariff content.

417
418 **Comments:**

419 *1. Allows a company to create and use an additional symbol that may be unique to*
420 *the company's tariff.*

421 *2. Staff suggests removing the requirement for an issued date. This date is*
422 *confusing. Commission Staff needs to know the date the tariff is received by the*
423 *Commission. Originally it was thought the issued date would serve this purpose, but*
424 *the company would have no way of knowing what that would be when the tariff is*
425 *sent by mail. Instead, the issued date has been the date the company prepares its*
426 *tariff. This date is not meaningful for the Commission.*

427 *3. Adds a requirement for a blank rectangle in the upper right hand corner of the*
428 *tariff for commission use.*

429

430

431 **New Section**

432 **480-80-1X5 Substitute pages.**

433 (1) The commission may accept substitute pages amending a pending tariff sheet if the
434 substitute pages:

435 (a) Do not materially change the terms and conditions of service contained in the
436 pending tariff sheet;

437 (b) Do not increase the rates contained in the pending tariff sheet; or

438 (c) Make typographical corrections to the pending tariff sheet.

439 (2) The commission must receive substitute pages, along with a transmittal letter,
440 explaining the revisions and including the notation "Do Not Redocket." The commission
441 retains discretion to reject any substitute pages where doing so is in the public interest.

442

443 **Comments:**

444 *1. New rule proposed to reflect current procedures.*

445

446
447

Amend 480-80-045

448 **480-80-0451X6 Filing of banded tariffs. Banded rate tariff filings.**

449 **(1) Telecommunication companies.** Telecommunications companies may file banded
450 rate tariffs. Such banded Banded rate tariff filings must, at a minimum, be accompanied
451 with the following:

452 (4a) A statement detailing how the public interest will be better served by a
453 banded rate tariff rather than a tariff with fixed rates;

454 (2b) A verifiable cost of service study supporting the contention that the minimum
455 rate in the banded rate tariff covers the cost of the service. Costs will be determined
456 under a long run incremental cost analysis, including the price charged to other
457 telecommunications carriers for any essential function used to provide the service, or
458 any other commission-approved cost method; and

459 (3c) Information detailing the revenue impact of the banded rate tariff.

460 **(2) Electric and natural gas companies.** Electric and natural gas companies
461 may file banded rate tariffs for any nonresidential natural gas or electric service that is
462 subject to effective competition from energy suppliers not regulated by the commission.
463 Banded rate tariff filings must, at a minimum, be accompanied with the following:

464 (a) A statement detailing how the public interest will be better served by a
465 banded rate tariff rather than a tariff with fixed rates;

466 (b) A verifiable cost of service study supporting the contention that the minimum
467 rate in the banded rate tariff covers all costs resulting from providing the service and
468 provides a contribution to fixed costs; and

469 (c) Information detailing the revenue impact of the banded rate tariff.

470

471 ***Comments:***

472 *1. Identifies minimum filing requirements for telephone, electric, and gas banded*
473 *rate tariff filings.*

474

475

476 **Amend 480-80-070**

477 **480-80-0701X7 Tariff filings with statutory Statutory notice.**

478 (1) The commission must receive tariff revisions with notice as required by RCW
479 80.28.060 and RCW 80.36.110. The statutes require thirty days' notice for tariff
480 revisions **except** telecommunications companies meeting the requirements of RCW
481 80.36.110(2) may file with ten days' notice to the commission.

482 (2) The notice begins with the date the commission receives the filing. The
483 commission will consider tariff revisions received on Saturdays, Sundays, and holidays,
484 or after the times identified in subsection (3) as having been received on the
485 following business day.

486 (3) The filing times and requirements for tariff revisions are as follows:

487 (a) Mailing. The commission must receive tariff revisions by 5:00 p.m. Pacific
488 time and must include an original and two copies of all materials.

489 (b) Telefacsimile. The commission must receive tariff revisions by 4:00 p.m.
490 Pacific time. The commission must receive an original and two hard copies of all
491 materials the following business day.

493 ~~Except as otherwise hereinafter provided by law or rule, a tariff that is received by the~~
494 ~~commission too late to give the commission, as well as the public, the full thirty days'~~
495 ~~notice required by law will be returned to the sender. When any tariff is issued as to~~
496 ~~which the commission and the public are not given statutory notice, the tariff has the~~
497 ~~same status as if the tariff had not been issued and full statutory notice must be given~~
498 ~~on any reissuance thereof. **[Part moved to -1X10]** No consideration will be given to~~
499 ~~telephone and telegraph notices in computing the thirty days' notice required. Tariffs or~~
500 ~~tariff revisions submitted by telefacsimile transmission will be accepted: *Provided*, That~~
501 ~~they comply with all other requirements imposed by statute or rule, and that the signed~~
502 ~~original and the required number of copies of such tariff or tariff revisions are delivered~~
503 ~~to the secretary of the commission the following business day. Facsimiles shall be~~
504 ~~deemed filed at the date and time the facsimile is received and printed in the offices of~~
505 ~~the commission. Tariffs received on Saturdays, Sundays and holidays or after 5:00~~
506 ~~p.m. shall be considered as having been received on the following business day.~~

507
508 **Comments:**

- 509 1. *Reduces the time period allowed for faxing by one hour to 4:00 pm Pacific time to*
510 *accommodate time needed for printing.*
511 2. *Revisions in this rule may require amendments to 480-09-120.*
512

513
514 **Amend 480-80-240**

515 **480-80-2401X8 Tariff filings with less Less than statutory notice.**

516 (1) The commission may allow tariff revisions to become effective with less than
517 statutory notice when the company states a reason for lack of notice. This process is
518 known as "less than statutory notice" (LSN) handling. A company filing for LSN
519 handling may use an LSN form supplied by the commission, or a transmittal letter
520 containing at least the following information:

521 (a) Company information:

- 522 (i) Name and address of company;
523 (ii) Unified business identifier (UBI) number;
524 (iii) Telephone number, e-mail address, and facsimile number; and
525 (iv) Name and signature of person to contact regarding the filing.

526 (b) Tariff identification information:

- 527 (i) Number of the tariff being amended;
528 (ii) Identifying number and title of the tariff item(s) being amended; and
529 (iii) Number of the tariff sheet being amended.

530 (c) Concise description of the changes being proposed;

531 (d) Reason(s) for requesting LSN handling; and

532 (e) Effective date requested.

533 (2) The revised tariff must include an effective date not less than the required
534 statutory notice period.

535 (3) If the LSN request is granted, the commission will change the effective date to
536 reflect the authorized LSN effective date.

537
538 ~~(1) On every tariff that is to become effective on less than thirty days' statutory notice~~
539 ~~L.S.N. by permission or by regulation or order of the commission, if it is not otherwise~~
540 ~~excluded from that requirement, notation must be made on the tariff that it is issued~~
541 ~~under special permission or by order of the commission as follows:~~

542 ~~(a) By authority of W.U.T.C. L.S.N. Order No.~~

543 ~~(b) By authority of order of the Washington utilities and transportation~~
544 ~~commission, Cause No.U.~~

545
546 Note: ~~The commission will not accept a tariff for L.S.N. action unless the cover letter under which the tariff~~
547 ~~is filed clearly and prominently specifies that the tariff is submitted to become effective in less than~~
548 ~~thirty days.~~

549
550 ~~(2) Tariffs providing (a) rates for service, etc. not previously rendered and~~
551 ~~covered by the utility's tariff, (b) revisions which reflect no basic change affecting the~~
552 ~~public, (c) changes in banded rates as to which notice to customers has been or will be~~
553 ~~given in accordance with tariff rules applicable to such service, or (d) initial tariffs not~~
554 ~~affecting regulated service, may become effective on a minimum of one day's notice.~~

555 ***[subsection 2 moved to -1X9]***

556 ~~(3) Requests for permission to change tariffs on less than statutory notice will be~~
557 ~~granted by the commission only when it deems that circumstances or conditions fully~~
558 ~~justify the lack of notice. A complete explanation with reasons for the request is required~~
559 ~~with the tariff revision. The revision shall bear an effective date not less than thirty days~~
560 ~~after the revision is filed with the commission. All notices relating to the revision shall~~
561 ~~contain, in addition to the minimum requirements set forth above, a statement to the~~
562 ~~effect that the utility is seeking an earlier effective date than the inserted effective date~~
563 ~~by means of an L.S.N. Order, which date is (date sought). If the commission grants~~
564 ~~the request, it will alter the inserted effective date to conform with the authorized~~
565 ~~effective date. The utility shall then alter the effective date on the tariff revision which is~~
566 ~~on file at its listed business offices in the territory affected thereby and on all posted~~
567 ~~notices relative thereto, to show the effective date that the commission has approved.~~
568 ~~The alterations shall cite the applicable L.S.N. Order. The altered posted notice shall~~
569 ~~remain posted until the date originally inserted as the revision's effective date.~~

570
571 **Comments:**

- 572 1. *Eliminates the requirement to post the LSN notice in business offices.*
573 2. *Provides an option to use a Commission LSN form.*

574
575
576 **New Section**

577 **480-80-1X9 Tariff filings that do not require statutory notice.** [From -240]

578 The following types of tariff filings do not require statutory notice but must be filed with
579 the commission at least one day before the effective date:

580 (1) A rate for a service not previously provided by an existing regulated
581 company's tariff;

582 (2) A tariff revision that reflects no change affecting the public;

583 (3) A change in a banded rate when notice to customers has been or will be
584 given in accordance with tariff rules applicable to the service;

585 (4) Initial tariffs; or

586 (5) Other service as the commission may allow.

587

588 **Comments:**

589 1. Clarifies that initial tariffs do not require statutory notice.

590

591

592 **New Section**

593 **480-80-1X10 Failure to provide statutory notice.** [from -070]

594 A tariff issued without the required statutory notice to the commission and the public has
595 the same status as if the tariff had not been issued. Full statutory notice must be given
596 on any reissuance.

597

598

599 **New Section**

600 **480-80-1X11 Withdrawing a filing.**

601 (1) When withdrawing a filing that the commission has not suspended, a company must
602 submit a letter that includes the following information:

603 (a) Name and address of company;

604 (b) Docket number;

605 (c) Advice number, if applicable;

606 (d) Name of person to contact regarding the withdrawal; and

607 (e) Signature of the person authorized to file tariffs in the following form:

608

609 I certify (or declare) under penalty of perjury under the laws of the
610 state of Washington that I am an authorized tariff issuing agent for
611 (name of company) and wish to withdraw the referenced filing.

612

613 _____ (Date) _____ (Signature)

614

615 _____ (Place) _____ (Type Name)

616

617 (2) When a company proposes to withdraw a filing that the commission has
618 suspended, the company must submit a letter containing all the information in
619 subsection (1) together with an explanation of why the withdrawal is being requested.

620 The proposed withdrawal will take effect only upon commission order.

621
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623
624
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Comments:

1. Identifies information needed to withdraw a filing.

Amend 480-80-350

627 **480-80-3501X12 Refiling tariffs.**

628 The commission may require a company to refile a complete tariff depending on the
629 extent of the tariff revisions.

630
631 A utility may be required to completely refile its tariff when the commission deems a
632 refiling of the tariff necessary.

633

Comments:

1. Clear language rewrite only.

636

637

638 **Amend 480-80-300**

639 **480-80-3001X13 ~~Rejection of~~ Rejecting tariffs.**

640 The commission may reject any tariff that reflects retroactive rate treatment or that is
641 found to be out of compliance with commission rules.

642

643 A tariff that is received in a form or filed in a method not in accordance with the form or
644 method of tariff publication named in these tariff rules or that reflects retroactive rate
645 treatment will be rejected by the commission and that tariff will have the same status as
646 if it had not been issued and full statutory notice must be given on any reissue thereof.

647

Comments:

1. Makes the rule permissive rather than mandatory.

650

651

652 **Amend 480-80-250**

653 **480-80-2501X14 ~~Tariff adoption~~ Adoption notice and restrictions.**

654 (1) A company must file a tariff adoption notice with the commission if there is a:

655 (a) Change in ownership;

656 (b) Transfer of all or part of the operating control from one company to another;

657 or

658 (c) Company name change.

659 (2) The acquiring company must file the tariff adoption notice if there is a change
660 in ownership or control. The surviving company must file the tariff adoption notice if
661 there is a name change.

662 (3) Content of the tariff adoption notice must contain, at a minimum, the following:

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(Name of company) adopts and makes its own in every respect all tariffs, supplements and amendments filed with the Washington utilities and transportation commission by (Name of previous company) prior to (Date).

(4) The tariff adoption notice may be made effective on one day's notice.

(5) The company adopting the tariff must file to incorporate the adopted tariff in its own tariff within sixty days of the date of the filing of the adoption notice **except that** the time limit is one year if the adoption is required due to a name change. **[from -260]**

(6) Until the company that adopted a tariff refiles the tariff in its own name, all revisions after the adoption must include:

(a) The name of the company whose tariff was adopted at the top of the sheet;
and

(b) The name of the company that adopted the tariff at the bottom of the sheet.

~~(1) In case of a change of ownership, or when a utility or portion thereof is transferred from the operating control of one utility to that of another or when the name of the utility is changed, the utility thereafter operating, if it intends to use the tariff of the former operating utility, shall, for each tariff so used, issue and file with the commission and shall, at the same time, post for thirty days at its listed business offices and its payment agencies in the area affected thereby, an adoption notice substantially as follows:~~

~~(Name of utility) hereby adopts, ratifies, and makes its own in every respect, as if the same had been originally filed by it, all tariffs, rules, notices, concurrences, provisions, authorities, power of attorney or whatsoever other instruments filed with the Washington utilities and transportation commission or its predecessors by (Name of old utility) prior to (Date), the beginning of its possession. By this notice, it also adopts and ratifies all supplements or amendments to any of the above tariffs, etc. which have heretofore been filed with the Washington utilities and transportation commission or its predecessors.~~

~~This notice may be filed and made effective on one day's notice. A similar adoption notice must be filed by a receiver when assuming control and possession of a utility's facilities.~~

~~(2) Until such time as an adopted tariff is refiled in the name of the utility which adopted same, all revisions thereto, subsequent to adoption, will bear at the top part of the sheet in the appropriate place the name of the utility whose tariff was adopted and at the bottom part of the sheet after "issued by" the name of the utility which adopted said tariff and is issuing the revision of the tariff. An adopted tariff may not be adopted by another.~~

Comments:

- 1. Removes language referring to "if it intends to use the tariff of the former operating utility."*
- 2. Removes the requirement to post the adoption notice. Notification is addressed in the new proposed consumer rules.*

- 708 3. *Extends the time period for incorporating an adopted tariff into the new*
709 *company's tariff due to a name change from 60 days to one year.*
710 4. *Combines 480-80-250 and 480-80-260 into one rule.*
711 5. *Removes the second company adoption restriction.*
712
713

714 **Amend 480-80-320**

715 **480-80-320X15 Discontinuance of Discontinuing a service or services.**

716 When a utility desires company proposes to discontinue a service or services, it shall
717 must file a cancellation of the particular tariff to be discontinued or file a revised tariff
718 omitting the particular item or items discontinued ~~accompanied by advice referring to the~~
719 ~~items discontinued and the reason therefor.~~ The company must include a transmittal
720 letter identifying the change and the reason for the discontinuance. ~~Such filing of~~
721 ~~cancellations shall~~ Cancellation filings will be subject to full thirty days' statutory notice,
722 unless made effective by a ~~without~~ less than statutory notice order, and ~~shall~~ will be
723 subject to all other provisions with respect to tariff filings.
724
725

726 **Amend 480-80-080**

727 **480-80-080X16 Tariff availability to customers. Tariff file at principal business**
728 **office. [includes -090]**

729 (1) Tariffs and price lists must be available for inspection upon request.

730 (2) Each company must maintain a complete copy of its current tariff and price
731 list:

732 (a) At all of its business offices;

733 (b) By delivery to the customer within three business days; or

734 (c) Electronically. If the electronic option is the method a company chooses to
735 make tariffs and price lists available to the public, it must also provide the equipment
736 needed, at its business offices, to access its tariff or price list.

737 (d) The company must provide the customer with a copy of the requested tariff
738 information by mail if the company does not maintain a business office within the
739 customer's service area.

740 (3) The company must provide the public with assistance in locating desired tariff
741 or price list information.

742 (4) The company must post a public notice in every office that maintains a tariff
743 or price list as follows:

744 (Name of Company)
745
746

747 A COMPLETE PUBLIC FILE OF THIS COMPANY'S TARIFF OR PRICE LIST,
748 APPLICABLE TO THIS TERRITORY, IS MAINTAINED IN THIS OFFICE AND MAY BE
749 INSPECTED BY ANY PERSON UPON REQUEST AND WITHOUT SPECIFYING A
750 REASON FOR THE REQUEST. A REPRESENTATIVE OF THE COMPANY WILL ASSIST
751 IN GETTING INFORMATION FROM THE TARIFF OR PRICE LIST.

752
753 ~~(1) Each utility shall provide and maintain at its principal business office, currently listed~~
754 ~~with and acknowledged by letter of the commission, a complete file of the effective tariff~~
755 ~~which it issues or is a party to, which file will be in charge of an employee of the utility~~
756 ~~who shall give desired information and assistance to those who may wish to consult~~
757 ~~such file. This file shall be open and accessible to the public on the ordinary business~~
758 ~~days and during the ordinary hours of said office.~~

759 ~~(2) Each of the utilities whose principal business office is not in Washington shall~~
760 ~~designate some one place in Washington, to be acknowledged by letter of the~~
761 ~~commission, at which place such complete file shall be kept.~~

762 ~~(3) Any utility which has not obtained written acknowledgement of its principal~~
763 ~~business office since June 1, 1959, will be required to do so before further tariff~~
764 ~~revisions will be entertained from that utility.~~

765 ~~(4) There shall be kept posted by the utility, in a public and conspicuous place in~~
766 ~~every such office, a notice not smaller than 8" x 10" in size, printed in bold type, as~~
767 ~~follows:~~

768
769 ~~(Name of Utility)~~
770

771
772 ~~A COMPLETE PUBLIC FILE OF THE TARIFFS OF THE ABOVE-~~
773 ~~NAMED UTILITY, APPLICABLE TO THIS TERRITORY, IS~~
774 ~~MAINTAINED IN THIS OFFICE AND MAY BE INSPECTED BY ANY~~
775 ~~PERSON UPON APPLICATION AND WITHOUT THE ASSIGNMENT~~
776 ~~OF ANY REASON FOR SUCH DESIRE. A REPRESENTATIVE OF~~
777 ~~THE UTILITY WILL ASSIST IN SECURING INFORMATION FROM~~
778 ~~THE TARIFFS.~~
779

780 **Comments:**

- 781 *1. Removes the requirement for the company to provide the commission with a list*
782 *of its business offices.*
783 *2. Allows companies the option of providing its tariff and price list electronically to*
784 *customers.*
785 *3. Allows companies the option of providing its tariff and price list by delivery to*
786 *customers.*
787

788
789 **III. PRICE LISTS**
790

791 *These price list rules replace the price list portion of 480-80-035. Effective 5/5/01 480-*
792 *120-027 was repealed and subsequently adopted as 480-80-035.*

793 **480-80-2X1 Definition and use of price lists.**

794 (1) A price list is a telecommunications company's standard offer to the general public or
795 to other telecommunications companies of one or more intrastate telecommunications
796 services that the commission has determined to be subject to effective competition.

797 (2) A company classified as competitive under RCW 80.36.320 may file a price
798 list to offer any intrastate telecommunications service. A company that has not been
799 classified as competitive may file a price list to offer any intrastate telecommunications
800 service that has been classified as competitive under RCW 80.36.330.

801 (3) A company may file a tariff for a service even if the commission has
802 determined that service to be subject to effective competition. If a company elects to
803 offer a competitive service by tariff, the company and the service will be subject to all
804 rules and laws applicable to fully regulated services, and any waivers of rule or law
805 otherwise applicable to competitive services or companies will not apply.

806
807

808 **480-80-2X2 Interpretation and application of price lists.**

809 (1) A price list is not a tariff and is not reviewed or approved by the commission at the
810 time of filing. The commission will, when appropriate, investigate a price list or complain
811 against a price list.

812 (2) The commission will not deem a customer to have constructive knowledge of
813 any provision of a price list solely because that provision has been filed with the
814 commission. Any dispute as to whether a customer had knowledge of a price list
815 provision will be based on the form and content of notice provided by the company as
816 well as any other demonstration of the customer's actual knowledge.

817 (3) If the commission determines that any provisions of a price list are conflicting
818 or ambiguous, it will construe the conflict or ambiguity in favor of the customer.

819

820

821 **480-80-2X3 Price lists format and content.**

822 (1) A price list must include, for each service in the price list, a description of the
823 service, all limitations, terms, or conditions on the offering of that service, if any, and all
824 rates, charges, or prices at which the service is offered.

825 (2) A price list must plainly state the places where the offered
826 telecommunications service will be rendered.

827 (3) A price list must be clearly marked on each page with the effective date.

828 (4) A price list must conform to all applicable laws, rules, and orders.

829 Acceptance by the commission of a non-conforming price list will not be deemed a
830 waiver of the law, rule, or order. Any price list provision that conflicts with a law, rule, or
831 order may not be enforced unless the commission waives that law, rule, or order.

832 (5) A price list of a company classified as competitive under RCW 80.36.320 may
833 state the rates, charges, or prices as maximum amounts rather than specific prices.

834 (6) A price list of a company offering a service classified as competitive under
835 RCW 80.36.330 may state the rates, charges, or prices as maximum and minimum

836 amounts rather than specific prices. The minimum price must comply with the cost
837 requirement in subsection (8).

838 (7) Price list filing must be accompanied by a transmittal letter in compliance with
839 the provisions of WAC 480-80-1X2(2).

840 (8) The rates, charges, and prices of services classified as competitive under
841 RCW 80.36.330 must cover the company's cost of providing the service. Costs will be
842 determined under a long run incremental cost analysis, including the price charged to
843 other telecommunications carriers for any essential function used to provide the service,
844 or any other commission-approved cost method.

845 (9) Telefacsimile transmission.

846 (a) The commission will accept price lists or price list revisions submitted by
847 telefacsimile transmission if the company delivers the signed original of the price list or
848 price list revisions to the records center of the commission the following business
849 day.

850 (b) The commission will use the date and time the facsimile is received and
851 printed at the record center as the official file date.

852 (c) Telefacsimile tariffs received on a Saturday, Sunday, holidays, or after
853 4:00 p.m. Pacific time, will be dated as received on the following business day.

854
855

856 **480-80-2X4 Effective date of price list filings.**

857 (1) Any new price list or price list revision becomes effective on the later of (a) the
858 effective date stated in the price list, (b) ten days after it is filed with the commission,
859 and (c) ten days after any existing customers receive actual notice of the revision in
860 accordance with WAC 480-120-XXX.

861 (2) This section does not apply to the filing of price lists as a part of a
862 telecommunications company's application for registration and competitive classification
863 under chapter 480-121 WAC.

864
865

866 **480-80-2X5 Price list availability to customers.**

867 (1) Each company must maintain a complete copy of the price list that is on file with the
868 commission on a web site accessible to the public using standard web browser
869 software.

870 (2) Each company must include in each customer bill or notice the Internet
871 address (uniform resource locator) of the web site containing its price list.

872 (3) Each company must provide to any customer making a written or oral request
873 a copy of the price list applicable to that customer's service. The company must provide
874 the price list at no charge to the customer.

875

876 **480-80-035-Price Lists.**

877 ~~(1) Pursuant to RCW 80.36.310 telecommunications services classified by the~~
878 ~~commission as competitive will be offered under price lists. All services of competitive~~
879 ~~telecommunications companies as classified by the commission under RCW 80.36.310~~
880 ~~will be offered under price lists.~~

881 ~~(2) All price lists filed with the commission must describe the service being~~
882 ~~offered and all prices, charges, terms, and conditions pertaining thereto. Each page~~
883 ~~of every price list shall contain, in general, the company name, the page number,~~
884 ~~and the effective date. All subsequent revisions of a price list shall bear consecutive~~
885 ~~revision numbers. Price lists must provide sufficient detail for customers and~~
886 ~~potential customers reasonably to determine what is being offered and what charges~~
887 ~~the customer incurs in obtaining the service.~~

888 ~~(3) Contracts (including modifications to previously executed contracts) for~~
889 ~~services which are governed by this section may be offered subject to the~~
890 ~~requirements of this subsection.~~

891 ~~(a) Contracts of companies classified "competitive" under RCW 80.36.310~~
892 ~~shall be filed with the commission not later than five business days after execution.~~
893 ~~A contract filed pursuant to this subdivision will not be rejected by the commission in~~
894 ~~the absence of competent evidence that the contract is unlawful.~~

895 ~~(b) Contracts which offer services classified as "competitive" under RCW~~
896 ~~80.36.330 shall be filed with the commission at least ten days prior to the effective~~
897 ~~date. Such contracts may not include both "price listed" and "tariffed" services~~
898 ~~unless the tariffed services are set forth separately and offered under an approved~~
899 ~~tariff or contract (see WAC 480-80-330). A contract filed pursuant to this subdivision~~
900 ~~may be rejected if the telecommunications company is unable to document that the~~
901 ~~price charged covered its relevant costs under either a long run incremental cost~~
902 ~~analysis or a fully distributed cost analysis whichever is lower, or any other~~
903 ~~commission-approved cost method. A contract filed pursuant to this subdivision may~~
904 ~~also be rejected upon a showing that it is otherwise unlawful. To meet its burden of~~
905 ~~proving that the contract is cost-based, the company shall, at a minimum, provide~~
906 ~~the following information at the time of filing:~~

907 ~~(i) A statement summarizing the basis of the rate or charge proposed in the~~
908 ~~contract and an explanation of the derivation of the proposed rate or charge; and~~

909 ~~(ii) An explanation of all cost computations involved in arriving at the~~
910 ~~derivation of the level of the rate or charge in the contract.~~

911 ~~(c) All contracts filed pursuant to this subsection shall be for a stated time~~
912 ~~period.~~

913 ~~(d) Filings under this subsection may be submitted with portions designated~~
914 ~~"confidential" pursuant to WAC 480-08-015. However, any filing which designates~~
915 ~~as "confidential" the essential terms and conditions will be rejected by the~~
916 ~~commission.~~

917 ~~(4) Federal contracts. Where a federal agency asserts its authority to solicit a~~
918 ~~firm offer of services and a contract subject to this section is submitted in response~~
919 ~~to that solicitation, the provisions of subsection (3) of this section will not apply.~~
920 ~~Upon the acceptance of such a contract offer by the federal agency, the~~

921 telecommunications company shall immediately file the contract with the commission
922 and must include the same documentation otherwise required by this section.
923 ~~(5) Federal universal service contracts with schools, libraries, and rural health care~~
924 ~~providers pursuant to 47 CFR, Part 54. When a telecommunications company~~
925 ~~enters into a contract to provide competitively classified service to a school, library,~~
926 ~~or rural health care provider, as part of the federal universal service program, the~~
927 ~~telecommunications company must file the contract if the rates, terms, or conditions~~
928 ~~of the prediscounted contract service depart from the price list. The contract must~~
929 ~~be filed immediately upon acceptance by the administrator of the federal universal~~
930 ~~service program. The filing must include the same documentation required for~~
931 ~~approval by subsection (3)(b) of this section. The contract shall become effective~~
932 ~~immediately upon filing with the commission, or at such later time as is specified in~~
933 ~~the contract.~~

934
935

936 IV. CONTRACTS

937
938 Amend 480-80-325 Effective 5/5/01 480-120 027 was repealed and subsequently
939 adopted as 480-80-325. Includes part of -326.

940 480-80-325X1 Contract for service.

941 (1) Whenever the classification of service under which the customer is to be served
942 requires that the service must be taken for a specified minimum period, or as otherwise
943 provided by tariff, a contract may be executed.

944 (2) Electric, gas, and water companies must provide the commission with a
945 sample of each contract form currently used.

946 (3) Upon request, telecommunications companies must provide the commission
947 with a sample of typical contract forms currently used within one business day.

948 (4) Any contract entered into with an information provider, as defined in WAC
949 480-120-089, for advertising or promotion must require within the contract that the cost
950 to the customer be prominently stated.

951

952 ~~Whenever the classification of service under which the customer is to be served~~
953 ~~requires that such service shall be taken for a specified minimum period a contract may~~
954 ~~be executed. A sample copy of each typical contract form currently in use by the utility~~
955 ~~shall be submitted to the commission and the commission shall be notified when any~~
956 ~~change other than a minor deviation is made in these forms.~~

957 ~~Any contract with an information provider shall require that the information~~
958 ~~provider, in any institutional advertising or promotion, state prominently in such~~
959 ~~advertising the cost to the customer.~~

960

961 **Comments:**

962 (1) Revised to recognize stakeholders' observations that a written contract may be
963 required in circumstances other than in connection with specified minimum
964 periods for service.

965 (2) Reduces the requirement to “upon request” for telecommunications companies
 966 only.

967
 968
 969

Amend 480-80-330

970 **480-80-3303X2 Special contracts for telecommunications companies not**
 971 **classified as competitive Telecommunications contracts.**

972 (1) Contracts to be filed. Telecommunications companies not competitively classified
 973 must file with the commission:

974 (a) All contracts for the retail sale of regulated intrastate telecommunications
 975 services to end-use customers that:

976 (i) State rates, charges, prices, terms, or conditions that do not conform to
 977 any existing tariff; or

978 (ii) Provide for telecommunications services not specifically addressed in
 979 the telecommunications company's existing tariffs.

980 (b) Any modification of a previously executed contract will be treated as a new
 981 contract.

982 (2) Duration. All contracts must be for a stated time period.

983 (3) Ratemaking disclaimer. Unless otherwise provided by the commission,
 984 approval of contracts will not be determinative with respect to the expenses and
 985 revenues of the company for subsequent ratemaking considerations.

986 (4) Types of telecommunications contracts. The following types of
 987 telecommunications contracts have special or unique features, effective dates, and
 988 requirements:

989 (a) Federal “firm bid” contracts are governed under subsection (5).

990 (b) School, library, and rural health care provider contracts entered into pursuant
 991 to 47 CFR, Part 54, are governed under subsection (6).

992 (c) All other retail contracts are governed under subsection (7).

993

**SUMMARY COMPARISON OF THE DIFFERENT
 TYPES OF RETAIL CONTRACTS**

Subsection	Contract Type	When to File	Effective Date
(5)	Federal Firm Bid	no later than 15 days after acceptance	when filed or later as specified
(6)	47 CFR Part 54; Schools, Libraries, & RHCs	no later than 15 days after acceptance	when filed or later as specified
(7)	All other retail contracts	no later than 30 days prior to the proposed effective date	at least 30 days after filing

994
995 (5) Federal "firm bid" contracts - filing requirements and effective dates. Where a
996 federal agency asserts its authority to solicit a firm offer of services and a contract
997 subject to this section is submitted in response to that solicitation, the
998 telecommunications company must file the contract with the commission no later than
999 fifteen days after acceptance. The filing must include the same documentation as
1000 required for approval by subsection (7) of this section. The contract will become
1001 effective at the time specified in the contract, but not earlier than filed with the
1002 commission.

1003 (6) School, library, and rural health care provider contracts - filing requirements
1004 and effective dates. A telecommunications company that enters into a contract to
1005 provide service to a school, library, or rural health care provider, as part of the federal
1006 universal service program, must file the contract with the commission upon acceptance
1007 by the administrator of the federal universal service program, no later than fifteen days
1008 after such acceptance. The filing must include the same documentation as required for
1009 approval by subsection (7) of this section. The contract will become effective at the time
1010 specified in the contract, but not earlier than filed with the commission.

1011 (7) All other retail contracts - standard filing requirements and effective dates.

1012 (a) Contracts must be filed with the commission not less than thirty days before
1013 the proposed effective date of the contract.

1014 (b) Each application filed for commission approval of a contract must:

1015 (i) Include a complete copy of the proposed contract;

1016 (ii) Show that the contract meets the requirements of RCW 80.36.170
1017 (prohibiting unreasonable preference) and RCW 80.36.180 (prohibiting rate
1018 discrimination);

1019 (iii) Demonstrate, at a minimum, that the contract charges cover the
1020 company's cost of providing the service. Costs will be determined under a long run
1021 incremental cost analysis, including the price charged to other telecommunications
1022 carriers for any essential function used to provide the service, or any other commission-
1023 approved cost method.

1024 (iv) Summarize the basis of the charge(s) proposed in the contract and
1025 explain the derivation of the proposed charge(s) including all cost computations
1026 involved; and

1027 (v) Indicate the basis for using a contract rather than a filed tariff for the
1028 specific service involved. If the basis for using a contract is the availability of an
1029 alternative service provider, identify that provider.

1030 (b) Contracts will become effective on the effective date stated on the contract or
1031 thirty days after the filing date, whichever occurs later, unless suspended or rejected by
1032 the commission. The commission may approve an earlier effective date. In no event
1033 may a contract become effective on a date that precedes commission approval. A
1034 request for an earlier effective date must include a complete explanation of why an
1035 earlier effective date is appropriate.

1036 (8) Confidentiality. Filings under this section may be submitted with portions
1037 designated "confidential" pursuant to WAC 480-09-015. However, any filing that
1038 designates as "confidential" the essential terms and conditions will be rejected by the

1039 commission as not in compliance with the public inspection requirement of RCW
1040 80.36.100. Essential terms and conditions are:

- 1041 (a) Nature, characteristics, and quantity of the service provided;
- 1042 (b) Duration of the contract, including the stated effective date, ending date, and
1043 any options to renew;
- 1044 (c) Charge(s) for service, including minimum charge provisions; and
- 1045 (d) Geographic location(s) where service will be provided.

1046
1047 ~~(1) Contracts to be filed. All contracts with end use customers for the retail sale of~~
1048 ~~regulated intrastate telecommunications services which contain or state rates or~~
1049 ~~conditions not in conformance with any applicable tariff or which provide for~~
1050 ~~telecommunications services which are not specifically addressed in the~~
1051 ~~telecommunications company's published tariffs shall be filed with the commission in~~
1052 ~~accordance with this section. For purposes of this section the modification of a~~
1053 ~~previously executed contract will be treated as a new contract. This section shall not~~
1054 ~~apply to contracts which offer services subject to a price list filed pursuant to WAC 480-~~
1055 ~~420-027.~~

1056 ~~(2) Application. This section shall apply prospectively to all contracts as defined~~
1057 ~~in subsection (1) of this section executed after the effective date of this section.~~

1058 ~~(3) Time for filing and effectiveness. With the exception of firm bid contracts~~
1059 ~~allowed under subsection (4) of this section, each contract shall be filed with the~~
1060 ~~commission in accordance with this subsection. A contract which does not qualify for~~
1061 ~~treatment under subsection (4) of this section shall be filed with the commission not less~~
1062 ~~than thirty days prior to the proposed effective date of the contract, and shall become~~
1063 ~~effective according to its terms unless earlier approved or rejected by the commission:~~
1064 ~~*Provided*, That upon application and for good cause shown, the commission may~~
1065 ~~approve the contract as of an effective date prior to the date that the contract would~~
1066 ~~have become effective in accordance with this section.~~

1067 ~~(4) Federal contracts. Where a federal agency asserts its authority to solicit a~~
1068 ~~firm offer of services and a contract subject to this section is submitted in response to~~
1069 ~~that solicitation, the provisions of subsection (3) of this section will not apply. Upon the~~
1070 ~~acceptance of such a contract offer by the federal agency, the telecommunications~~
1071 ~~company shall immediately file the contract with the commission and must include the~~
1072 ~~same documentation required for approval by subsection (5) of this section.~~

1073 ~~(5) Documentation. Each contract and substantial contract modification filed~~
1074 ~~pursuant to this section shall be accompanied by documentation to show that the~~
1075 ~~contract does not result in undue or unreasonable discrimination between customers~~
1076 ~~receiving like and contemporaneous service under substantially similar circumstances;~~
1077 ~~and provides for the recovery of all costs associated with the provision of the services.~~
1078 ~~In addition, the telecommunications company shall file the following information in~~
1079 ~~conjunction with each contract submitted:~~

- 1080 ~~(a) A statement summarizing the basis of the rate or charge proposed in the~~
1081 ~~contract and an explanation of the derivation of the proposed rate or charge;~~
- 1082 ~~(b) An explanation of all cost computations involved in arriving at the derivation of~~
1083 ~~the level of the rate or charge in the contract; and~~

1084 ~~(c) A statement indicating the basis for the use of a contract rather than a filed~~
1085 ~~tariff for the specific service involved.~~

1086 ~~(6) Duration of contract. All contracts shall be for a stated time period.~~

1087 ~~(7) Confidentiality. Filings under this section may be submitted with portions~~
1088 ~~designated "confidential" pursuant to WAC 480-08-015. However, any filing which~~
1089 ~~designates as "confidential" the essential terms and conditions will be rejected by the~~
1090 ~~commission.~~

1091 ~~(8) Federal universal service contracts with schools, libraries, and rural health~~
1092 ~~care providers pursuant to 47 CFR, Part 54. When a telecommunications company~~
1093 ~~enters into a contract to provide service to a school, library, or rural health care provider,~~
1094 ~~as part of the federal universal service program, the telecommunications company must~~
1095 ~~file the contract if the rates, terms, or conditions of the prediscouted contract service~~
1096 ~~depart from the tariff. The contract must be filed immediately upon acceptance by the~~
1097 ~~administrator of the federal universal service program. The filing must include the same~~
1098 ~~documentation required for approval by subsection (5) of this section. The contract~~
1099 ~~shall become effective immediately upon filing with the commission, or at such later time~~
1100 ~~as is specified in the contract.~~

1101
1102 **Comments:**

1103 1. Clarifies current requirements.

1104 2. Makes a generic imputation standard more explicit, see subsection (7)(b)(iii).

1105
1106
1107 **Amend 480-80-335**

1108 **480-80-335~~X3~~X3 Special contracts for electric, water, and natural gas companies.**

1109 (1) Contracts to be filed. Electric, water, and natural gas companies must file with the
1110 commission all contracts for the retail sale of regulated utility services to end-use
1111 customers that:

1112 (a) State charges or conditions that do not conform to any existing tariff; or

1113 (b) Provide for utility services not specifically addressed in the company's existing
1114 tariffs.

1115 (2) ~~Significant~~ Any modification of a previously executed contract will be treated
1116 as a
1117 new contract for purposes of this section.

1118 (3) Essential terms and conditions of all contracts filed pursuant to this section
1119 are considered a part of the company's filed tariffs and are subject to enforcement,
1120 supervision, regulation, control, and public inspection as such. The provisions of this
1121 chapter will apply except for those provisions governing the filing, notice, and form of
1122 tariffs, including those stated in WAC 480-80-~~XXX060~~ through 480-80-~~XXX320~~.

1123 (4) Filing and effective dates. The contract will become effective on the effective
1124 date stated on the contract or thirty days after the filing date, whichever occurs later,
1125 unless suspended or rejected by the commission. The commission, ~~for good cause~~
1126 ~~shown~~, may approve an earlier effective date. In no event may a contract become
1127 effective on a date that precedes commission approval. ~~The~~ A request for an earlier

1128 effective date must include a complete explanation of why an earlier effective date is
1129 appropriate.

1130 (5) Each application filed for commission approval of a contract must:

1131 (a) Include a complete copy of the proposed contract;

1132 (b) Show that the contract meets the requirements of RCW 80.28.090 (prohibiting
1133 unreasonable preference) and RCW 80.28.100 (prohibiting rate discrimination);

1134 (c) Demonstrate, at a minimum, that the contract charges recover all costs
1135 resulting from providing the service during its term, and, in addition, provide a
1136 contribution to the company's fixed costs;

1137 (d) Summarize the basis of the charge(s) proposed in the contract and explain
1138 the derivation of the proposed charge(s) including all cost computations involved; and

1139 (e) Indicate the basis for using a contract rather than a filed tariff for the specific
1140 service involved. If the basis for using a contract is the availability of an alternative
1141 service provider, identify that provider.

1142 (6) All contracts must be for a stated time period. The commission may approve
1143 terms and conditions that prescribe the charge(s) to be applied during the time period, if
1144 such charge(s) are found to be appropriate. Unless otherwise provided by the
1145 commission, such approval will not be determinative with respect to the expenses and
1146 revenues of the company for subsequent ratemaking considerations.

1147 (7) Filings under this section may be submitted with portions designated
1148 "confidential" pursuant to WAC 480-09-015. However, any filing that designates the
1149 essential terms and conditions of the contract as "confidential" shall be rejected by the
1150 commission as not in compliance with the public inspection requirement of RCW
1151 80.28.050. Essential terms and conditions are:

1152 (a) Identity of the customer;

1153 (b) Nature and characteristics of the service provided, including interruptible, firm,
1154 or peak delivery;

1155 (c) Duration of the contract, including any options to renew;

1156 (d) Charge(s) for service, including minimum charge provisions;

1157 (e) Geographic location where service will be provided; and

1158 (f) Additional obligations specified in the contract, if any.

1159

1160 **Comments:**

1161 1. *Updates revised WAC reference numbers only.*

1162

1163

1164 *480-80-3X4 and 480-80-3X5 replace the contract portion of 480-80-035. Effective*
1165 *5/5/01 480-120-027 was repealed and subsequently adopted as 480-80-035*

1166 **480-80-3X4 Using contracts for services classified as competitive.**

1167 (1) If a company makes an offer of service at prices, terms, or conditions other than
1168 those in its price list, and the customer accepts that offer, the company must provide the
1169 service at prices, terms, and conditions consistent with the offer. Except as provided in
1170 WAC 480-80-3X5, the company must file with the commission either a price list revision
1171 or a customer contract setting out the alternative prices, terms, and conditions.

- 1172 (2) All contracts shall be for a stated time period.
1173 (3) A contract will be enforceable by the contracting parties according to its terms
1174 even if the company fails to file the contract where required by WAC 480-80-3X5.
1175 (4) Any contract for a service classified as competitive under RCW 80.36.330
1176 must comply with the cost requirement in WAC 480-80-2X3(8).
1177 (5) A contract must not include both "price listed" and "tariffed" services unless
1178 the tariffed services are set forth separately and offered under an approved tariff or
1179 contract (see WAC 480-80-330).

1180
1181
1182

New Section

480-80-3X5 Filing contracts for services classified as competitive.

1183 (1) This section applies to services offered by any company classified as competitive
1184 under RCW 80.36.320 and to any service classified as competitive under RCW
1185 80.36.330. However, if a company has elected, pursuant to WAC 480-80-2X1(3) to
1186 offer a competitive service by tariff, the contract rules in WAC 480-80-330 applicable to
1187 tariffed services apply instead.

1188 (2) A company must file with the commission any contract with an end user for
1189 retail intrastate telecommunications service if the service is not included in its price list
1190 or the contract contains prices, terms, or conditions other than those in its price list. A
1191 company is not required to file a contract with prices below the maximum prices in the
1192 price list, as provided for in WAC 480-80-2X3(5), or within the maximum and minimum
1193 prices in the price list, as provided for in WAC 480-80-2X3(6), if the contract otherwise
1194 is consistent with the price list.

1195 (3) Any modification to a previously executed contract is a new contract and must
1196 be filed as required by this section.

1197 (4) Unless it includes a provision allowing the commission to reject it during the
1198 first fifteen days after it is filed, any contract required by subsection (2) to be filed with
1199 the commission will become effective on the later of (a) its stated effective date and (b)
1200 ten days after it is filed with the commission. The deadline for filing a contract that
1201 provides for commission rejection within fifteen days of filing is fifteen days after its
1202 stated effective date.

1203 (5) Filings under this section may be submitted with portions designated
1204 "confidential" pursuant to WAC 480-08-015. However, the commission will reject any
1205 filing that designates as "confidential" the essential terms and conditions of a contract
1206 as defined in WAC 480-80-3X2(8).

1207 (6) A company filing a contract for a service classified as competitive under RCW
1208 80.36.330 must provide information demonstrating that the contract prices comply with
1209 the cost requirement in WAC 480-80-2X3(8).

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V. REPEALED SECTIONS

1215 **480-80-041 Tariff.**
1216 ~~Services which the commission has classified as competitive telecommunications~~
1217 ~~services, including all services offered by companies which the commission has~~
1218 ~~classified as competitive telecommunications companies, are exempted from the~~
1219 ~~requirement to file tariffs. Price lists for services exempted from the requirement to file~~
1220 ~~tariffs shall be filed in accordance with WAC 480-120-027. Price list changes must be~~
1221 ~~provided in triplicate and be accompanied by a letter of transmittal describing the~~
1222 ~~changes proposed.~~
1223

1224 **Comments:**

- 1225 1. *Eliminates the requirement to include two extra copies with the price list filing.*
1226
1227

1228 **480-80-047 Access charges.** *[Repeal Moved to 480-120-541 in Docket U-991301,*
1229 *effective 5/5/01]*
1230
1231

1232 **480-80-048 Collective consideration of Washington intrastate rate, tariff, or**
1233 **service proposals.** *[Repeal Moved to 480-120-542 in Docket U-991301, effective*
1234 *5/5/01]*
1235
1236

1237 **480-80-049 Caller identification service.** *[Moved to 480-120-543 in Docket U-*
1238 *991301, effective 5/5/01]*
1239
1240

1241 **480-80-050 Copies of tariff to be filed.** *[Moved to -1X1]*

1242 ~~Three copies of each tariff shall be sent to the commission accompanied by a letter of~~
1243 ~~transmittal. The letter of transmittal must describe any proposed changes to existing~~
1244 ~~tariffs. One copy will then be returned to the utility by the commission, after processing,~~
1245 ~~with the receipt date noted thereon.~~
1246
1247

1248 **480-80-060 Delivery of tariff.** *[Moved to -1X1]*

1249 ~~No tariff issued by any utility will be accepted for filing, if not otherwise excepted, unless~~
1250 ~~it is delivered to the commission, free from all charges or claims for postage, the full~~
1251 ~~thirty days required by law before the date upon which such tariff is to become effective,~~
1252 ~~as noted, accompanied by a statement that public notice, as required, has been given to~~
1253 ~~the public immediately prior to or coincident with the date upon which such proposal is~~
1254 ~~transmitted to this office. No consideration will be given to the time during which a tariff~~

1255 may be held for delivery charges. The issued date and the effective date must be
1256 clearly indicated in the appropriate space on each sheet. The issued date must be a
1257 date either prior to or coinciding with the date on the letter accompanying the tariff.
1258
1259

1260 **480-80-090 Tariff file at designated business offices.** [*Included in -1X16*]

1261 ~~(1) Each utility shall keep at each designated business office, currently listed with and~~
1262 ~~acknowledged by letter of the commission, (this list shall contain all of the utility's~~
1263 ~~offices, other than its principal business office, that are normally open to the public for~~
1264 ~~the transaction of business relating to the state of Washington and to which the utility so~~
1265 ~~certifies) a complete and correct copy of the tariff containing rates applicable to the~~
1266 ~~territory under the jurisdiction of that office: *Provided*, That telephone and telegraph~~
1267 ~~utilities will be required to keep interexchange and telegraph rates at toll checking~~
1268 ~~centers only.~~

1269 ~~(2) Any utility which has not obtained written acknowledgement of its designated~~
1270 ~~business offices since June 1, 1959, will be required to do so before further tariff~~
1271 ~~revisions will be entertained from that utility.~~

1272 ~~(3) There shall be kept posted by the utility, in a public and conspicuous place in~~
1273 ~~every such office, a notice not smaller than 8" x 10" in size, printed in bold type, as~~
1274 ~~follows:~~

1275
1276 ~~(Name of Utility)~~
1277

1278 ~~A COMPLETE PUBLIC FILE OF THE TARIFFS OF THE ABOVE-~~
1279 ~~NAMED UTILITY, APPLICABLE TO THIS TERRITORY, IS~~
1280 ~~MAINTAINED IN THIS OFFICE AND MAY BE INSPECTED BY ANY~~
1281 ~~PERSON UPON APPLICATION AND WITHOUT THE ASSIGNMENT~~
1282 ~~OF ANY REASON FOR SUCH DESIRE. A REPRESENTATIVE OF~~
1283 ~~THE UTILITY WILL ASSIST IN SECURING INFORMATION FROM~~
1284 ~~THE TARIFFS.~~

1285
1286
1287 **480-80-100 Payment agencies.**

1288 ~~(1) In payment agencies (offices other than those of the utility but in which are located~~
1289 ~~persons authorized to receive payment for the utility's billed accounts) and in utility~~
1290 ~~offices not listed as business offices because they are not always open to the public,~~
1291 ~~there shall be kept posted by the utility in a public and conspicuous place a notice not~~
1292 ~~smaller than 8" x 10" in size, printed in bold type, as follows:~~

1293
1294 ~~(Name of Utility)~~
1295

1296 ~~A COMPLETE PUBLIC FILE OF THE TARIFFS OF THE ABOVE-~~
1297 ~~NAMED UTILITY, APPLICABLE TO THIS TERRITORY, IS~~

1298 ~~MAINTAINED IN. (NAME, ADDRESS, AND TELEPHONE~~
1299 ~~NUMBER OF NEAREST LISTED BUSINESS OFFICE~~
1300 ~~RESPONSIBLE FOR THAT SERVICE AREA) AND MAY BE~~
1301 ~~INSPECTED BY ANY PERSON UPON APPLICATION AND~~
1302 ~~WITHOUT THE ASSIGNMENT OF ANY REASON FOR SUCH~~
1303 ~~DESIRE. A REPRESENTATIVE OF THE UTILITY WILL ASSIST IN~~
1304 ~~SECURING INFORMATION FROM THE TARIFFS.~~

1305
1306 (2) ~~In lieu of the notice specified in the preceding subsection, the utility may~~
1307 ~~stamp or print on each bill or envelope in which such bill is mailed, or enclose therewith,~~
1308 ~~a statement giving the name, address and telephone number of its nearest listed~~
1309 ~~business office at which such tariffs are maintained. Commencing ninety days or earlier~~
1310 ~~from July 31, 1959 this procedure must be followed in those instances where a utility~~
1311 ~~does not have a listed business office or a payment agency in the service area.~~

1312
1313 **Comments:**

- 1314 1. *Eliminates the requirement to post a tariff availability notice at payment agencies.*
1315
1316

1317 **480-80-110 Reference to tariff file. [(1) moved to -1X16]**

1318 ~~(1) Each utility shall keep tariff files complete and in readily accessible form and shall~~
1319 ~~assist those desiring information therefrom without requiring or requesting the inquirers~~
1320 ~~to assign any reason for such desire.~~

1321 ~~(2) Every utility shall check its tariff file at each office where kept at least once~~
1322 ~~every six months.~~

1323
1324 **Comments:**

- 1325 1. *Removes the requirement to check tariff on file, in business office, once every six*
1326 *months.*
1327
1328

1329 **480-80-120 Notice to the public of tariff changes. [Moved to 480-90-193, 480-100-**
1330 **193, and 480-120-043 in Docket U-991301, effective 5/5/01]**

1331
1332
1333 **480-80-125 Notice by utility to customers concerning hearing. [Customer notice**
1334 **rules will move to industry chapters: 480-090-193, 480-100-193, 480-120-043, and 480-**
1335 **121-X04.]**

1336 ~~The purpose of this requirement is to ensure that customers of a utility which is~~
1337 ~~proposing a rate increase or a banded tariff which proposes an increase in the~~
1338 ~~maximum rate receive reasonable notice of the nature and the magnitude of the~~

1339 proposed increase, so that the customer is able reasonably to make an informed
1340 decision about whether to participate in the hearing process.

1341 ~~(1) Whenever any utility proposes to increase any rate or charge for the service~~
1342 ~~or commodities furnished by it or proposes a banded tariff which includes an increased~~
1343 ~~maximum rate, and the commission has issued an order instituting investigation~~
1344 ~~concerning such increase, the utility shall supply a statement to such customers or~~
1345 ~~classes of customers designated in the order instituting investigation that a hearing will~~
1346 ~~be held by the commission at which members of the public will be afforded an~~
1347 ~~opportunity to testify. The statement shall also set forth the amount of the proposed~~
1348 ~~increase expressed in (a) total dollars and average percentage terms, and (b) the~~
1349 ~~average monthly increases that customers in each category or subcategory of service~~
1350 ~~might reasonably expect. Categories or subcategories of service shall be identified in~~
1351 ~~tariff terms, and if those terms are different from those commonly used by the utility or~~
1352 ~~understood by customers, the notice shall incorporate that commonly used or~~
1353 ~~understood terminology. The notice shall further contain the information that a public~~
1354 ~~counsel will be appointed to represent the public and the mailing address of the~~
1355 ~~commission to which any customer inquiries to the commission or to the public counsel~~
1356 ~~relative to the public hearing date may be directed. The statement shall accompany, as~~
1357 ~~a separate document, regular bills distributed by the utility to its customers, starting with~~
1358 ~~the first billing cycle reasonably available following issuance of the commission's order~~
1359 ~~instituting investigation and continuing throughout the utility's billing cycle covering~~
1360 ~~customers of the utility as of the date of the commission's order instituting investigation.~~
1361 ~~As an alternative the utility may make a separate distribution of the statement within~~
1362 ~~thirty days following the date of the issuance of the order instituting investigation.~~
1363 ~~Whether disseminated as part of a regular billing or separately the notice shall be~~
1364 ~~prepared in such a manner as to attract attention to it and to distinguish it from other~~
1365 ~~material simultaneously distributed. A copy of such statement shall also be mailed or~~
1366 ~~delivered to at least one newspaper of general circulation, and at least one radio station~~
1367 ~~and at least one television station, in the area or each of the areas affected. The utility~~
1368 ~~shall promptly file a copy of the statement with the commission and certify it has~~
1369 ~~complied with or is in the process of complying with these mailing and delivery~~
1370 ~~requirements.~~

1371 ~~(2) The statement required by WAC 480-80-125(1) shall be in form and content~~
1372 ~~substantially as follows:~~

1373 **IMPORTANT NOTICE**

1374
1375
1376 **(Company) is Requesting**
1377 **A Rate Increase**

1378
1379 **Washington Utilities**
1380 **and Transportation**
1381 **Commission**

1382
1383 **Cause No. U-.....**

1384
1385 ~~(Name of Company) has asked the Washington Utilities and~~
1386 ~~Transportation Commission for permission to raise its rates by about \$...~~
1387 ~~. a year, or about ... percent, over present levels. A summary of the~~
1388 ~~increases asked, and the kinds of service affected, (is attached) (appears~~
1389 ~~below). The commission has suspended the increase and has ordered its~~
1390 ~~staff to investigate the company's request. Formal hearings will be held~~
1391 ~~for the company, commission staff and others to give evidence about the~~
1392 ~~proposal.~~

1393
1394 ~~The commission has ordered the company to send you this notice to tell~~
1395 ~~you:~~

1396
1397 ~~(1) One or more hearing sessions will be held just to hear members of the~~
1398 ~~public who want to testify, in addition to hearings for technical or expert~~
1399 ~~evidence.~~

1400
1401 ~~(2) If you ask, the commission will send you a notice of the time and place~~
1402 ~~for hearings when they are scheduled so you can attend. To get notices~~
1403 ~~or for more information, call the Secretary of the Commission, in Olympia~~
1404 ~~at (206) 753-6451 or write to:~~

1405
1406 ~~Secretary~~
1407 ~~Washington Utilities and~~
1408 ~~Transportation Commission~~
1409 ~~1300 S. Evergreen Park Drive S.W.~~
1410 ~~Olympia, WA 98504-8002.~~

1411
1412 ~~If you write, include your name and mailing address, the name of the~~
1413 ~~company, and Cause~~
1414 ~~No. U-.....~~

1415
1416 ~~(3) A lawyer (has been) (will be) appointed to represent the public. You~~
1417 ~~can reach this "public counsel" by calling or writing the commission at the~~
1418 ~~address above or directly by calling or writing~~
1419 ~~.....~~

1420
1421 ~~(4) The rates shown here are only a request by the company. After the~~
1422 ~~hearings are over, the commission will consider the evidence. It can deny~~
1423 ~~all of the request, grant it all, or grant some of it. The commission also~~
1424 ~~has the authority to set rates that are different from the company's~~
1425 ~~request--higher or lower--for each kind of service.~~

1426
1427 ~~Name of Company Official~~
1428 ~~Title of Company Official~~

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Name of Company

~~SUMMARY OF REQUESTED RATE INCREASES~~

Type of Service	Range of Requested Increases or Increases	Typical Increase in Average Bill (Dollars)
----------------------------	--	---

~~(Identify the tariff category, including, as needed for public understanding, the tariff category title, the term commonly used by the company, and the term commonly used by customers to describe the type of service affected. Set out the information on a monthly basis. If the company's billing cycle is not monthly, clearly explain the effect, by footnote or otherwise, per billing cycle. If the rates vary by season or time, specify the range and basis for variation. If the rate is charged on the basis of unit consumption, such as energy consumption, the increase shall be stated in a cents-per-unit or on a percentage basis for the tariff category. It shall then as to residential customers illustrate increases in representative consumption classifications. If the rate is charged on the basis of monthly rate per service or per item of equipment, the increase shall be stated on the basis of percentage increase for the classification or range of increase within the classification, using commonly recognized representative examples demonstrating the range and the typical effect of the increases.)~~

~~(The following shall be added, if applicable:)~~

~~Note: The figures shown here are ranges and averages. It is not possible to set out every service or every variation in this brief notice.~~

~~If you want to know how the company's proposal will affect you if the commission adopts it totally, call or write (telephone number and address of office or offices where customers will receive a prompt, accurate answer. Address and telephone number may be omitted if included elsewhere in the information simultaneously received by the consumer and if clearly referenced. The utility shall respond to customer inquiries no later than the close of the fifth business day following receipt of the inquiry at any of its appointed offices. Inquiries may be forwarded from branch offices to a central office or division if this is done at no cost to the consumer and if a response is generated to the consumer within the reasonable time limit).~~

~~(3) The requirements of WAC 480-80-125 shall be in addition to such other requirements as are imposed or may be imposed by statute or rule pertaining to notice to the public of proposed tariff changes.~~

~~(4) Upon determination by the commission that the due and timely exercise of its functions requires the hearing for receipt of evidence from the public to be held at a time which makes it impracticable for the utility to comply with the requirements of WAC 480-80-125(1), it may by letter to the utility dispense with all or part of such requirement.~~

1475 ~~(5) Failure to accomplish substantial compliance with the requirements of this~~
1476 ~~rule will subject the utility to imposition of penalties in accordance with the provisions of~~
1477 ~~RCW 80.04.405.~~

1478
1479

1480 **480-80-130 Notation of receipt of tariff by agents.**

1481 ~~Each utility shall require its agent or other representative at every office where tariffs are~~
1482 ~~required to be on file, upon receipt of a tariff or part of a tariff for filing at that office, to~~
1483 ~~make a written receipt therefor showing the date when it was received and the date~~
1484 ~~when it was filed and the utility shall keep and preserve such receipts for a period of at~~
1485 ~~least one year.~~

1486

1487 **Comments:**

1488 *(1) Eliminates record keeping requirement.*

1489

1490 **480-80-140 Form of tariff sheets.** *[Moved to -X10(1)]*

1491 ~~All sheets of tariffs must be clearly printed or typed on forms comparable with the~~
1492 ~~commission's standard forms. These forms shall be 8-1/2" x 11" in size and of~~
1493 ~~comparable paper to that used for utility tariff purposes by the commission. Tariff~~
1494 ~~sheets shall have sufficient space on the left margin for binding.~~

1495

1496

1497 **480-80-150 Numbering of tariffs.** *[Moved to -X10(2)]*

1498 ~~When a utility supplies more than one kind of service, such as electric, water or gas, it~~
1499 ~~shall file separate tariffs for each kind of service. Each completely new tariff hereafter~~
1500 ~~filed will bear a WN U serial number and each tariff so numbered must be given the~~
1501 ~~next numerical WN U number not heretofore assigned to the utility's tariffs. The number~~
1502 ~~shall be the official designation of the tariff. The use of additional tariff designations by~~
1503 ~~the utility will be permitted.~~

1504

1505

1506 **480-80-160 General arrangement of tariff.** *[Moved to -1X3 and -1X4(3)]*

1507 ~~(1) Each utility tariff shall consist of a standard title page, a standard index page, a~~
1508 ~~complete set of rules and regulations governing service and a set of rate schedule~~
1509 ~~sheets.~~

1510 ~~(2) Each sheet of every tariff shall contain, in general, the tariff number, the tariff~~
1511 ~~sheet number, the name of the utility issuing the tariff and the issued date and the~~
1512 ~~effective date of the sheet. One copy of each sheet must bear the actual or facsimile~~
1513 ~~signature of the one authorized to issue and file tariffs.~~

1514

1515

1516 **480-80-170 Schedule designation.**
1517 ~~Scheduled numbers or letters shall be assigned so as to facilitate reference to the~~
1518 ~~schedules.~~

1519
1520 **Comments:**

1521 1. *Not necessary.*
1522
1523

1524 **480-80-180 Tariff sheet designation.** [*Moved to -1X4(4)*]

1525 ~~(1) Each sheet of every utility tariff shall bear a sheet number, each number differing~~
1526 ~~from the other. Upon the first publication of the sheet it shall be designated as original~~
1527 ~~sheet The same sheet number shall appear on all subsequent revisions of the~~
1528 ~~sheet and the revisions of the sheet shall be numbered substantially as follows:~~

1529
1530 ~~On the first revision the sheet shall be designated:~~

1531
1532 ~~FIRST REVISION OF SHEET~~
1533 ~~CANCELLING~~
1534 ~~ORIGINAL SHEET~~

1535
1536 ~~On the second revision the sheet shall be designated:~~

1537
1538 ~~SECONDREREVISIONOFSHEET~~
1539 ~~CANCELLING~~
1540 ~~FIRST REVISION OF SHEET~~

1541
1542 ~~(2) On all subsequent revisions the sheet shall bear consecutive revision~~
1543 ~~numbers and shall indicate the cancellation of the superseded sheet unless~~
1544 ~~circumstances dictate otherwise. Any tariff sheet which has been filed and which has~~
1545 ~~been subsequently withdrawn or rejected, before the expiration of statutory notice in~~
1546 ~~connection therewith or by order, shall be considered as not having been issued in the~~
1547 ~~first instance insofar as subsequent sheet numbering is concerned.~~

1548 ~~(3) No sheet, once cancelled and removed from the tariff, shall be reactivated~~
1549 ~~during the current life of the tariff with which it was associated unless it bears the~~
1550 ~~appropriate revision thereof and contains the same basic material.~~

1551
1552

1553 **480-80-190 Numbering plan for sheets.** [*Moved to -1X4(5)*]

1554 ~~In the construction of a tariff it should be remembered that it will probably be necessary~~
1555 ~~in the future to file additional rates, rules and regulations, etc. To provide a proper place~~
1556 ~~for these subsequent filings in proper relation to schedules, etc., already filed,~~
1557 ~~reservation of sheet numbers should be considered.~~

1558

1559

1560 **480-80-200 Title page.** *[Moved to -1X3(1)]*

1561 ~~(1) The title page of each tariff shall appear as the first sheet of each tariff and shall~~
1562 ~~show the tariff number, the cancelled tariff number when applicable, the name of the~~
1563 ~~utility issuing the tariff, the service offered, the territory to which the tariff applies, the~~
1564 ~~issued date and the effective date of the sheet, the complete name and address of the~~
1565 ~~issuing utility and the signature or facsimile signature and title of the one authorized to~~
1566 ~~issue the tariff.~~

1567 ~~(2) Whenever a town, city or district is added to or deleted from a territory, then the~~
1568 ~~title page of the tariff applicable to that territory shall be revised in keeping therewith and~~
1569 ~~in accordance with the specifications for the revision of sheets as set forth in these~~
1570 ~~rules.~~

1571

1572

1573 **480-80-210 Index page.** *[Moved to -1X3(2)]*

1574 ~~(1) The index page of each tariff shall appear as the second sheet of each tariff and~~
1575 ~~shall show the tariff number, the name of the utility issuing the tariff, the issued date and~~
1576 ~~the effective date of the sheet, the signature or facsimile signature and title of the one~~
1577 ~~authorized to issue the tariff and shall contain a complete and accurate list of the~~
1578 ~~contents of the tariff by schedule number, sheet title and sheet number.~~

1579 ~~(2) Whenever a new tariff sheet is added to a tariff and that sheet is not listed in~~
1580 ~~the index page of the tariff at that time then the index page of the tariff shall be revised~~
1581 ~~in accordance with these rules.~~

1582

1583

1584 **480-80-220 Rules and regulations page.** *[Moved to -1X3(4)]*

1585 ~~(1) Each utility filing a tariff or tariffs with the commission shall include, as a part of that~~
1586 ~~tariff, a complete set of rules and regulations governing service under that tariff. These~~
1587 ~~rules and regulations shall cover at least the following when applicable:~~

1588 ~~(a) Application for service~~

1589 ~~(b) Definition of service~~

1590 ~~(c) Reconnection charge~~

1591 ~~(d) Service connection~~

1592 ~~(e) Installation of meters~~

1593 ~~(f) Distribution main extension and line extension (except where filed as a rate~~
1594 ~~schedule)~~

1595 ~~(g) Responsibility for, and maintenance of, service~~

1596 ~~(h) Access to premises~~

1597 ~~(i) Interruptions to service~~

1598 ~~(j) Bills~~

1599 ~~(k) Deposits~~

1600 ~~(l) Delinquent accounts~~

1601 ~~(m) Discontinuance of service~~
1602 ~~(n) As to each service to which banded rates are applicable, the manner by~~
1603 ~~which the utility will give notice to its customers of changes within the limits of the band.~~
1604 ~~(2) Such additional rules and regulations as are necessary shall also be filed.~~
1605 ~~Rules and regulations shall be published on consecutively numbered standard tariff~~
1606 ~~sheets in accordance with these rules and revisions thereof shall be as outlined in these~~
1607 ~~rules.~~
1608

1609 **480-80-230 Rate schedule page. [Moved to -1X3(5)]**

1610 ~~(1) Each schedule of rates shall contain the following, when applicable:~~
1611 ~~(a) Schedule number and classification of service (name of locality and class of~~
1612 ~~service. If rate is optional, so state.)~~
1613 ~~(b) Kind of service (whether A.C. or D.C. Whether single phase or polyphase.~~
1614 ~~Voltage frequency, etc.)~~
1615 ~~(c) Availability~~
1616 ~~(d) Rate~~
1617 ~~(e) Minimum charge~~
1618 ~~(f) Discount~~
1619 ~~(g) All other factors entering into the computation of the bills under the schedule.~~
1620 ~~(2) For telephone and telegraph companies the following information shall be~~
1621 ~~given, when applicable:~~
1622 ~~(a) Exchange rate schedules to include:~~
1623 ~~(i) Primary rate schedules~~
1624 ~~(ii) Private branch exchange rate schedules~~
1625 ~~(iii) Miscellaneous rate schedules~~
1626 ~~(iv) Base rate area maps~~
1627 ~~(v) Exchange area maps~~
1628 ~~(b) Inter-exchange service rate schedules to include:~~
1629 ~~(i) Basic rate schedules~~
1630 ~~(ii) Supplementary rate schedules~~
1631 ~~(iii) List of toll points~~
1632 ~~(c) Telegraph rate schedules:~~
1633 ~~(i) Basic rate schedules~~
1634 ~~(ii) Supplementary rate schedules~~
1635 ~~(iii) List of telegraph points~~
1636 ~~(3) The rate schedules shall be published as outlined in these rules and revision~~
1637 ~~thereof shall be in accordance with these rules and shall be accompanied by supporting~~
1638 ~~data and an explanation as to the effect thereof, when applicable.~~
1639
1640

1641 **480-80-260 Tariff of acquired utility. [Moved to -1X14]**

1642 ~~Every utility acquiring ownership or control of another utility or portion thereof and filing~~
1643 ~~a notice adopting the rates, rules and regulations, etc. of that utility, filed with the~~

1644 ~~commission, shall within sixty days of the filing of such adoption notice, file those rates,~~
1645 ~~rules and regulations, etc. as a part of its own tariff or as a separate tariff in its own~~
1646 ~~name if it plans to continue to operate in accordance therewith. Every utility otherwise~~
1647 ~~operating under an adopted tariff shall endeavor, at least within one year of the filing of~~
1648 ~~such adoption notice, to file its rates, rules and regulations, etc. in its own name.~~
1649
1650

1651 **480-80-270 Reference to tariff. [Moved to -1X1]**

1652 ~~(1) The filing of tariffs with the commission does not imply that the provisions of same~~
1653 ~~are approved, unless the commission has prescribed the rates, rules and regulations or~~
1654 ~~practices in an order, and utilities must not in any way make such inference.~~

1655 ~~(2) Rates and rules and regulations prescribed by the commission in its orders~~
1656 ~~shall, in every instance, be observed by the utilities against which such orders are~~
1657 ~~entered. The utility shall duly publish, file and post the necessary tariff sheets which~~
1658 ~~shall show notation to that effect. Only those rates and rules and regulations so~~
1659 ~~prescribed will carry such notation.~~
1660
1661

1662 **480-80-280 Issuing agent.**

1663 ~~The utility shall provide the commission with a list of the officials or persons and their~~
1664 ~~titles who are authorized to issue and file tariffs in behalf of the utility and shall keep~~
1665 ~~such list current. Any utility which has not made such a list available to the commission~~
1666 ~~since June 1, 1959 will be required to do so before further tariff revisions will be~~
1667 ~~entertained from that utility.~~
1668

1669 **Comments:**

- 1670 1. *Removes the 1959 requirement.*
 - 1671 2. *Authorizing signature substituted in 1X2 in lieu of maintaining list.*
- 1672
1673

1674 **480-80-290 Suspension of tariffs.**

1675 ~~(1) When the commission suspends a utility's tariff or part of a tariff, it will enter a~~
1676 ~~suspension order setting forth the tariff or the parts of the tariff suspended. In that~~
1677 ~~circumstance, the utility affected thereby shall cause a copy of said order to be~~
1678 ~~associated with the tariff revision on file at its listed business offices and its payment~~
1679 ~~agencies and all posted notices relative thereto shall be altered to bear reference to the~~
1680 ~~terms of the order.~~

1681 ~~(2) When the commission vacates an order of suspension, it will issue an order~~
1682 ~~stating the date on which the rates, rules and regulations, etc. are to become effective, if~~
1683 ~~appropriate. In that circumstance, the utility affected thereby shall proceed as set forth~~
1684 ~~in the preceding paragraph with respect to the filed tariff revision and posted notices~~

1685 ~~and continue such filing and posting for at least thirty days from the date of filing and~~
1686 ~~posting in those cases where the order provides for changes other than those sought.~~
1687 ~~(3) The tariff sheets affected by the vacation of an order of suspension will bear~~
1688 ~~reference to said order.~~

1689
1690 **Comments:**

- 1691 1. *Repeal due to new consumer rules in individual chapter rules. Eliminates posting*
- 1692 *requirement.*
- 1693 2. *Statute provides authority to suspend tariffs. Team believes there is no need for a*
- 1694 *rule.*

1695
1696

1697 **480-80-310 Exceptions.**

1698 ~~The commission may approve other methods of filing tariffs when the nature of a utility's~~
1699 ~~operations fully warrant such permission being granted.~~

1700
1701 **Comments:**

- 1702 1. *Rule is not needed because "Exemptions" rule allows for other methods of filing.*

1703
1704

1705 **480-80-326 Contract for service.** *[Moved from 480-90-061 and 480-100-061 in*
1706 *Docket U-991301, effective 5/5/01.]*

1707 ~~Whenever the classification of service under which the customer or applicant is to be~~
1708 ~~served requires that such service shall be taken for a specified minimum period a~~
1709 ~~contract may be executed. **[Moved to -3X1]** A sample copy of each typical contract~~
1710 ~~form currently used by the utility shall be submitted to the commission. **[Moved to -**~~
1711 ~~**0X3]**~~

1712
1713

1714 **480-80-340 Forms, contracts, and application samples.**

1715 ~~Samples of all forms on which bills are rendered, all forms on which items concerning~~
1716 ~~billing are listed to be conveyed to the customer, all application blanks, and all contract~~
1717 ~~forms shall be made available to the commission and shall be kept current.~~

1718
1719

1720 **480-80-360 Standard tariff forms.**

1721 ~~The commission will, upon request, furnish, at a nominal charge of two cents per sheet,~~
1722 ~~standard title sheet forms or general forms.~~

1723
1724 **Comments:**

- 1725 1. *The commission has tariff templates available in some industries and not in other*
1726 *industries based on the needs of the industries.*
1727 2. *The price for copies is outdated based on practice and procedures rules in*
1728 *chapter 480-09.*

1729
1730

1731 **480-80-370 Symbols.** *[Moved to -1X4]*

1732 ~~Symbols shall be used to indicate the purpose and effect of all tariff material submitted~~
1733 ~~to the commission.~~

1734 ~~These symbols shall appear on the right hand side of the text to which they apply~~
1735 ~~and within the lined margin thereof.~~

1736 ~~The following list of symbols is to be used by all utilities:~~

1737

1738 ~~C - to signify changed condition or regulation~~

1739 ~~D - to signify discontinued rate, regulation or condition~~

1740 ~~I - to signify increase~~

1741 ~~K - to signify that material has been transferred to another sheet or place in the~~

1742 ~~tariff~~

1743 ~~M - to signify that material has been transferred from another sheet or place in~~

1744 ~~the tariff~~

1745 ~~N - to signify new rate, regulation, condition or sheet~~

1746 ~~O - to signify no change*~~

1747 ~~R - to signify reduction~~

1748 ~~T - to signify a change in text for clarification~~

1749

1750 ~~* _____ The use of the symbol "O" shall be discretionary unless its use in the interest of clarity is evident or~~
1751 ~~specifically requested by the commission.~~

1752

1753

1754 **480-80-380 Availability of rules.**

1755 ~~A copy of these rules shall be available for public inspection at each listed business~~
1756 ~~office of all utilities concerned.~~

1757

1758 ~~Preproposal Statement of Intent served December 28, 1994, Docket No. UT-941325~~

1759

1760

1761 **Comments:**

- 1762 1. *Staff believes companies no longer need to be required to provide this chapter of*
1763 *rules to customers. Instead, the rights and responsibility customer brochure should*
1764 *refer the customer to the Commission website or public request desk. This chapter*
1765 *of rules is directed towards tariff processes that the company must follow rather than*
1766 *the rights of the consumer. NOTE: Public notice has been moved to the individual*
1767 *industry chapters.*

1768

1769 *Preproposal Statement of Intent served December 28, 1994, Docket No. UT-941325*
1770

1771 **~~480-80-390~~ Mandatory cost changes for telecommunications companies.** *[Moved*
1772 *to 480-120-544 in Docket U-991301, effective 5/5/01.]*

1773

1774