

VIA ELECTRONIC E-mail and US MAIL

May 31, 2001

Ms. Carole J. Washburn
Executive Secretary
Washington Utilities and Transportation Commission
P.O. Box 47250
Olympia, WA 98504-7250

RE: Docket U-991301, Comments on Draft Revisions to WAC 480-80

Dear Ms. Washburn,

Puget Sound Energy, Inc. ("PSE" or "the Company"), appreciates the opportunity to comment on the Utilities General-Tariffs rules, in the above noted docket. PSE hopes Commission Staff (Staff) and other interested parties will find the following comments helpful in implementing Executive Order 97-02 and to otherwise ensure the rules are consistent with the public interest.

IX1 Definitions and Use of Tariff

- (1): Substituting RCW and WAC for "law and rule" would be more formal.
- (2): "Commodities" appears redundant to "goods," thus can be dropped.
- (3): PSE is not clear why utilities should be required to file new tariff sheets when an order is entered approving the filing. Unless there is some clear reason why the docket number must appear on the tariff sheet, PSE suggests dropping this requirement would streamline the process.

IX2 Tariff Filing Instructions

General Comment: There are a few places in this rule where "tariff" is used interchangeably with schedule or tariff sheet. The definition of tariff in the definition section is a good one—a tariff is the entire publication. The language in this rule should be revised to be consistent with that definition of tariff.

- (2) (f): Most tariff filings do not have a "commonly used name" nor have a docket number prior to filing at the Commission, these would only exist for on-going proceedings. Therefore, if this language is adopted, most tariff filings would have to conflict with this rule.

- (2) (i): PSE advocates retention of the current practice of signing tariff sheets rather than including this new language for tariff filing letters. The current process is more flexible as more people at a utility may be authorized signatories than are authorized to sign tariff sheets.

IX3 Tariff Content

General: PSE presumes that Staff would have the new formatting apply on the basis of new filings as opposed to requiring every utility to completely refile its entire tariff.

IX7 Tariff filings with statutory notice.

- (3) (b): PSE appreciates retention of the facsimile filing alternative. However, this provision should focus on the time the Commission actually received the filing. The time required by the record center to process the filing should be independent of recognizing the time the filing was received. Therefore, PSE suggests the 5:00 p.m. deadline for a business day associated with physically filing a document should also apply to faxed filings. The time-stamp on the Commission's facsimile version should determine the actual time filed.

IX9 Tariff filings that do not require statutory notice.

- (1) Language should be revised to "...in the existing regulated company's tariff" as opposed to "... by an existing regulated company's tariff....".

IX11 Withdrawing a Filing

- (2): This appears to be a new requirement that utilities will not be permitted to withdraw a filing without a Commission Order, even before the filing has been suspended. The new approach creates unnecessary process by requiring the Commission to act on something that they would not have to spend time on, if utilities were permitted to simply withdraw the filing. Additionally, this approach would unnecessarily eliminate flexibility for regulated utilities without providing any additional protection for customers.

IX16 Tariff Availability

- (2) (b): This appears to be a new requirement that would require utilities to mail copies of its entire tariff to customers, so that the tariff is received within three days of a request. This seems like an overly aggressive timeline. If this rule is adopted, it should include language permitting utilities to charge a reasonable fee for copying and delivery expenses and it should state the tariff be mailed within three days.

- (2) (d): If the utility makes its tariff available electronically, on a publicly available web site, per (2) (c), then requiring utilities to also mail a copy of the complete tariff if there is no business office in the area does not seem necessary. Many customers have access to the internet in their homes or place of business, and those that don't have access via their local public library. In general, public libraries have always been much better dispersed throughout the companies' service territories than business offices. If Staff believes it would be helpful, utilities could provide the internet address for its web site including the specific location of tariff so that a customer would be able to go directly to that location either on his/her own or with the assistance of a librarian.

3X3 Special Contracts

- (2) The Commission and several parties just completed an extensive process to comprehensively revise this rule. PSE was supportive of language in that rulemaking clarifying that only contracts with significant revisions (such as changes in prices or primary terms and conditions such as load factors, penalties, duration, etc.) should be considered new special contracts. Under the current rule, immaterial changes do not have to go through a time and resource consuming regulatory process. PSE recommends the current language, developed a year ago, continues to be fair, just, and reasonable.

Conclusion

PSE is thankful for the opportunity to comment on this proposal and looks forward to participating in the June 12, 2001, workshop. If you have any questions regarding these comments or if we can be of any additional assistance, please contact Lynn Logen at (425) 462-3872.

Sincerely,

Karl R. Karzmar
Manager, Revenue Requirements