

Chapter 480-80

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

Docket No. U-991301

Stakeholder Legislative Draft 2

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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 utility that is subject to the jurisdiction of the
9 commission as to rates and services under the provisions of RCW 80.04.010, chapter
10 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16 conflict with these rules without approval are superseded by these rules.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 utility or customer by posing an informal complaint under WAC 480-09-
19 150, Informal complaints, or by filing a formal complaint under WAC 480-09-420,
20 Pleadings and briefs--Application for authority--Protests.

21 (4) Competitively classified telecommunications utilities previously granted
22 exemptions from chapter 480-80 WAC Utilities General – Tariffs are not exempt from
23 Part I. General Rules, WAC 480-80-2X1 through 480-80-2X5, WAC 480-80-3X4 and
24 WAC 480-80-3X5. 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 (6) On or after the effective date of these rules:

29 (a) Any tariff currently on file and in effect is not required to be refiled to comply
30 with these rules; or

31 (b) Any tariff filing that is pending is not required to be refiled to comply with
32 these rules.

33 (7) After the effective date of these rules any tariff, price list, or contract filing
34 must comply with these rules.

35
36
37 ~~(1) These rules shall apply to any public service company, defined as such by the laws~~
38 ~~of the state of Washington, as amended, operating a gas, electric, telecommunications,~~
39 ~~water or irrigation plant which is subject to the jurisdiction of the Washington utilities and~~
40 ~~transportation commission as to rates and service.~~

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

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

46 (4) ~~Competitively classified telecommunications companies previously granted~~
47 ~~exemptions from chapter 480-80 WAC Utilities General—Tariff are not exempt from~~
48 ~~WAC 480-80-035 Price lists and WAC 480-80-325 Contract for service. Exemptions~~
49 ~~from the provisions of chapter 480-80 WAC include only the provisions in effect at the~~
50 ~~time the exemption was granted.~~

51
52 **Comments:**

- 53 1. *Revisions reflect common language adopted in other rulemakings.*
54
55

56 **New Section**

57 **480-80-0X1 Exemptions from rules in chapter 480-80.**

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

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

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

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

74 (5) The commission will enter an order granting or denying the request or
75 setting it for hearing, pursuant to chapter 480-09 WAC.
76

77 **Comments:**

- 78 1. *Reflects common language adopted in other rulemakings.*
79
80

81 **Amend**

82 **480-80-020 Saving clause. Additional requirements.**

83 (1) These rules do not relieve any utility from any of its duties and obligations under the
84 laws of the state of Washington.

85 (2) The commission retains the authority to impose additional or different

86 requirements on any utility in appropriate circumstances, consistent with the
87 requirements of law.

88
89 ~~These rules shall not be construed as affecting the validity of any presently effective~~
90 ~~tariff provisions or pending tariff revisions. Attention shall be given by each utility to~~
91 ~~bringing presently effective tariffs into compliance with these rules so that all tariffs shall,~~
92 ~~within a reasonable period of time, conform as to tariff arrangement.~~

93
94 **Comments:**

95 *1. Reflects common language adopted in other rulemakings.*
96

97
98 **New Section**

99 **480-80-0X2 Severability.**

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

103
104 **Comments:**

105 *1. Reflects common language adopted in other rulemakings.*
106

107
108 **New Section**

109 **480-80-0X3 Transmittal letter.**

110 The utility must submit a transmittal letter with all tariff, price list, and contract filings.

111 The transmittal letter must:

112 (1) Identify all new tariffs, price lists, contracts, and tariff, price list, and contract
113 changes;

114 (2) Explain in understandable terms why the tariff, price list, or contract is being
115 filed;

116 (3) Convey the requested action in clear and concise terms and define any
117 acronyms used;

118 (4) If known, refer to the commonly-used name, the advice number, and the
119 docket number;

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

124 (6) Describe the general effect of, and reasons for, the change if tariff, price list,
125 or contract filings involve only text changes; and

126 (7) Include an authorizing statement in the following form: **[from -280]**
127

128 (Name and Title of Issuing Agent) is authorized to issue and file tariffs
129 on behalf of (Utility)_____.

130
131
132 _____
133 (Signature of Authorizing Agent) (Date)

134
135 _____
136 (Print Name) (Title)
137 _____
138 (Utility)

139 **Comments:**

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

146
147
148 **New Section**

149 **480-80-0X4 Telefacsimile filing.**

150 (1) The commission will accept a tariff, price list, or contract filing submitted by
151 telefacsimile transmission if:

152 (a) The filing complies with all other requirements imposed by statute and rule;
153 and

154 (b) The commission receives an original and two copies of the tariff filing the
155 following business day.

156 (2) The commission will use the date and time the telefacsimile is received and
157 printed at the records center as the official file date.

158 (3) The commission records center must receive a telefacsimile filing in its
159 entirety by 5:00 p.m. Pacific time, Monday through Friday, except on state holidays, to
160 be considered received on that business day. [from -070]

161
162
163 **New Section**

164 **480-80-0X5 Electronic filing.**

165 The commission may accept a tariff, price list, or contract filing submitted electronically
166 in accordance with commission procedures.

167 (1) Electronic filings must comply with applicable rules.

168 (2) After accepting an electronic tariff filing, the commission will return an e-mail
169 acknowledgment noting the receipt date.

172 **Amend**

173 **480-80-030 Definitions.**

174 ~~(1) "Utility," when used in these rules, means any person, partnership, firm or~~
175 ~~corporation operating a gas, electric, telecommunications, water or irrigation plant which~~
176 ~~is subject to the jurisdiction of the commission as to rates and service.~~

177 ~~(2) "Commission," when used in these rules, means the Washington utilities and~~
178 ~~transportation commission.~~

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

186 ~~(4) "Banded tariff," as used in these rules means a tariff filed by a~~
187 ~~telecommunications company in which at least one element of the rate schedule (WAC~~
188 ~~480-80-230) is a band consisting of a maximum and minimum rate within which the rate~~
189 ~~may vary.~~

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

193 The definitions in this section apply throughout the chapter unless the context clearly
194 requires otherwise:

195 "Banded rate" means a rate that has a minimum and maximum rate.

196 "Commission" means the Washington utilities and transportation
197 commission.

198 "Price list" means a telecommunications company's standard offer to the
199 general public or to other telecommunications utilities of one or more intrastate
200 telecommunications services that the commission has determined to be subject to
201 effective competition.

202 "RCW" means the Revised Code of Washington.

203 "Tariff" is a document that sets forth terms and conditions of regulated service,
204 including rates, charges, tolls, rentals, rules, and equipment and facilities, and the
205 manner in which rates and charges are assessed for regulated services provided to
206 customers, and rules and conditions associated with offering service. *[from -040]*

207 "Telefacsimile" means the transmittal of electronic signals over telephone
208 lines for conversion into written text.

209 "Utility" means every public service gas company, electrical company,
210 telecommunications company, water company, or irrigation plant that is subject to the
211 jurisdiction of the commission as to rates and service.

212 "WAC" means the Washington Administrative Code.

213
214
215

216 **II. TARIFFS**

217

218 **New Section**

219 **480-80-1X1 Tariff filing instructions.**

220 (1) A utility that is required to have a tariff on file with the commission must file and
221 maintain its tariff(s) with the commission as required in the RCW's and WAC's of the
222 state of Washington.

223 (2) A utility may not give effect to revised tariff sheets until the commission
224 approves the tariff filing by issuing an order or allows the new or changed provisions to
225 become effective by operation of law. **[from -270(1)]**

226 (3) If the commission issues an order directing a utility to refile its tariff, the utility
227 must refile marking each affected sheet **[from -270(2)]** with the docket number.

228 (4) A tariff filing must:

229 (a) Be in accordance with statutory notice requirements;

230 (b) Be clearly marked with the effective date on each revised tariff sheet;

231 (c) Be free from all charges for postage; **[from -060]**

232 (d) Include an original and two copies of each revised tariff sheet; and

233 (e) Be accompanied by a transmittal letter in compliance with the provisions of
234 WAC 480-80-0X3.

235 (5) The tariff filing must meet the requirements contained in applicable RCW's
236 and WAC's. Specifically, utilities are subject to rules regarding rate filings in chapter
237 480-09 WAC, including but not limited to:

238 (a) WAC 480-09-015 - Submission of "confidential" information;

239 (b) WAC 480-09-101 - When communications are received;

240 (c) WAC 480-09-120 - Filing and service filing by telefacsimile; number of copies;

241 (d) WAC 480-09-330 - Filing requirements – General rate increases;

242 (e) WAC 480-09-337 - Filing requirements – General rate increases water
243 utilities; and

244 (f) WAC 480-09-340 - Compliance filings.

245 (6) The tariff filing must include information sufficient to justify that the tariff filing
246 is in the public interest.

247 (7) When a revised tariff sheet(s) becomes effective, the commission will return
248 one copy of the transmittal letter and one copy of each revised tariff sheet to the utility
249 marked with the receipt date. **[from -050]**

250 (8) The commission may require a utility to refile a complete tariff depending on
251 the extent of the tariff changes. **[from -350]**

252

253 **Comments:**

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

256 *2. Clarifies that "an original and two copies" refers to the revised tariff sheet(s).*

257

258

259 **New Section**

260 **480-80-1X2 Tariff content.**

261 (1) Title page. The first sheet of the tariff must include:

262 (a) Tariff number;

263 (b) The cancelled tariff number, when applicable;

264 (c) The types of services covered by the tariff;

265 (d) An identification of the territory to which the tariff applies;

266 (e) Effective date of the sheet; and

267 (f) The complete name, address, phone number, unified business identifier (UBI)
268 number, and if available, the electronic mail address and web page address of the
269 issuing utility. [from -200]

270 (2) Index or table of contents. The second section of the tariff must be updated,
271 when applicable, whenever a tariff sheet is added, revised, or cancelled. It must
272 include:

273 (a) Tariff number;

274 (b) Name of the utility issuing the tariff;

275 (c) Effective date of the revised index or table of contents sheet; and

276 (d) A complete and accurate list of the contents of the tariff. [from -210]

277 (3) Legend of Symbols. This section must identify all symbols used in the tariff
278 to identify changes resulting from the filing of the specific sheet change. The list must
279 include the required symbols and their meanings, and any other utility-specific symbol
280 with its meaning consistent with the requirements identified in WAC 480-80-1X3(6).

281 (4) Rules section. The rules section sets forth the conditions governing services
282 under the tariff.

283 (a) The rules section must include the following, when applicable:

284 (i) Application for service;

285 (ii) Definition of service;

286 (iii) Reconnection charge;

287 (iv) Service connection;

288 (v) Installation of meters;

289 (vi) Distribution main extension and line extension (except where filed as a
290 rate schedule);

291 (vii) Responsibility for, and maintenance of, distribution plant and service
292 lines;

293 (viii) Access to premises;

294 (ix) Interruptions to service;

295 (x) Bills;

296 (xi) Deposits;

297 (xii) Delinquent accounts;

298 (xiii) Discontinuance of service; and

299 (xiv) The method the utility will use to give notice to its customers of
300 changes within the limits of a banded rate. [from -220(1)]

301 (b) Gas companies must include the requirements set out in:

302 (i) WAC 480-90-233(2) Purchased gas adjustment (may be included in
303 rules section or rates section);

304 (ii) WAC 480-90-330(1) Heating value of gas; and

- 305 (iii) WAC 480-90-343 Statement of meter test procedures.
306 (c) Electric companies must include the requirements set out in WAC 480-100-
307 343 Statement of meter test procedures.
308 (d) Rules for specific services may be included in either the rate schedule section
309 or the rules section.
310 **(5) Rate schedule section.**
311 **(a) Rate schedule sheets must include the following, when applicable:**
312 **(i) Schedule number;**
313 **(ii) Title describing service (may include customer class, location available,**
314 **and whether service is optional);**
315 **(iii) Availability;**
316 **(iv) Rate;**
317 **(v) Minimum charge;**
318 **(vi) Discount; and**
319 **(vii) All other factors entering into the computation of the bills under the**
320 **schedule.**
321 **(b) Telecommunications companies must also provide the following information,**
322 **when applicable, based upon the type of service offered:**
323 **(i) Exchange service rate schedules that include:**
324 **(A) Primary rate schedules;**
325 **(B) Private branch exchange rate schedules;**
326 **(C) Miscellaneous rate schedules; and**
327 **(D) Exchange area maps.**
328 **(ii) Inter-exchange service rate schedules that include:**
329 **(A) Basic rate schedules;**
330 **(B) Supplementary rate schedules; and**
331 **(C) List of toll points. [From -230]**
332

333 **Comments:**

- 334 1. *Removes the requirement to include telegraph rate schedules as Staff believes it*
335 *is no longer applicable.*
336 2. *Removes the requirement for Base Rate Maps.*
337

338
339
340 **New Section**

341 **480-80-1X3 Tariff format.**

342 **(1) Tariff format.** A utility must clearly print or type all tariffs on eight and one-half inch
343 **by eleven-inch paper, with at least one-half inch margins on each side. [from -140]**
344 **Tariffs filed electronically must be capable of being printed according to procedures**
345 **identified by the commission.**

346 **(2) Tariff numbering.**

347 **(a) A utility filing more than one kind of service, such as electric and gas, must**
348 **file separate tariffs for each type of service.**

349 (b) Each completely new tariff filing must use the next available WN U-number.
350 The WN U-number must be the official designation of the tariff. **[From -150]**

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

352 (a) A tariff number;

353 (b) A tariff sheet number;

354 (c) The name of the utility issuing the tariff;

355 (d) The effective date; **[From -160]** and

356 (e) A blank area in the upper right hand corner, at least two inches wide and one
357 and one-half inches high, for commission use.

358 (4) **Sheet numbering.**

359 (a) Each tariff sheet must have a different sheet number.

360 (b) The first time a tariff sheet is published, a utility must mark it as "original
361 sheet."

362 (c) The utility must use the same sheet number on all subsequent changes and
363 number the revised sheets sequentially as follows:

364
365 On the first revision, designate the sheet as:

366
367 FIRST REVISION OF SHEET

368 CANCELLING

369 ORIGINAL SHEET

370
371 On the second revision, designate the sheet as:

372
373 SECOND REVISION OF SHEET

374 CANCELLING

375 FIRST REVISION OF SHEET

376
377 (d) Each tariff revision sheet must use consecutive revision numbers and indicate
378 the cancellation of the superseded sheet.

379 (e) The commission will not consider tariff sheets that have been rejected or
380 withdrawn before they become effective when numbering subsequent tariff changes.

381 (f) When a utility cancels and removes a tariff sheet, it must not reactivate the
382 sheet during the life of the tariff unless it is cancelled with a notation that the number is
383 reserved for future use. **[from -180]**

384 (5) **Reserving sheet numbers.** As a utility constructs its initial tariff, it may
385 consider reserving sheet numbers for future filings of additional rates and rules. This
386 will assure that future filings will be in proper relation to schedules already filed. **[from-**
387 **190]**

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

390 (a) Tariff changes must include symbols that indicate the purpose and effect of
391 the change.

392 (b) A utility must locate the symbols on the right hand side of the changed
393 text directly across from the change.

394 (c) A utility must use the following list of symbols to signify:

- 395
396 D - discontinued rate, service, regulation or condition;
397 N - new rate, service, regulation, condition or sheet;
398
399 I - a rate increase;
400 R - a rate reduction;
401
402 C - changed condition or regulation;
403
404 K - that material has been transferred to another sheet in the tariff (A
405 footnote is required on the tariff sheet to identify the material's new
406 sheet number.);
407 M - that material has been transferred from another sheet in the tariff (A
408 footnote is required on the tariff sheet to identify the material's former
409 sheet number.);
410
411 T - a change in text for clarification;
412
413 O - no change (This symbol is discretionary unless specifically requested
414 by the commission.);
415

416 (d) A utility may use additional symbols for other purposes as long as the utility-
417 specific symbols are identified in its tariff as provided for in WAC 480-80-1X2(3).
418

419 **Comments:**

- 420 1. *Allows a company to create and use an additional symbol that may be unique to*
421 *the company's tariff.*
422 2. *Staff suggests removing the requirement for an issued date. This date is*
423 *confusing. Commission Staff needs to know the date the tariff is received by the*
424 *Commission. Originally it was thought the issued date would serve this purpose, but*
425 *the company would have no way of knowing what that would be when the tariff is*
426 *sent by mail. Instead, the issued date has been the date the company prepares its*
427 *tariff. This date is not meaningful for the Commission.*
428 3. *Adds a requirement for a blank rectangle in the upper right hand corner of the*
429 *tariff for commission use.*
430

431 **New Section**

432 **480-80-1X4 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

- 439 (c) Make typographical corrections to the pending tariff sheet.
440 (2) A utility submitting substitute pages must include a transmittal letter that
441 explains the changes and includes the notation "Do Not Redocket."
442 (3) The commission retains discretion to reject any substitute pages where doing
443 so is in the public interest.

444 **Comments:**

- 445 1. *New rule proposed to reflect current procedures.*

447
448
449 **Amend 480-80-045**

450 **480-80-0451X5 Filing of banded tariffs. Banded rate tariff filings.**

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

454 (1a) A statement detailing how the public interest will be better served by a
455 banded rate tariff rather than a tariff with fixed rates;

456 (1b) A verifiable cost of service study supporting the contention that the minimum
457 rate in the banded rate tariff covers the cost of the service. Costs will be determined
458 under a long run incremental cost analysis, including the price charged to other
459 telecommunications carriers for any essential function used to provide the service, or
460 any other commission-approved cost method; and

461 (1c) Information detailing the revenue impact of the banded rate tariff.

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

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

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

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

472
473 **Comments:**

- 474 1. *Identifies minimum filing requirements for telephone, electric, and gas banded*
475 *rate tariff filings.*

476
477
478 **Amend 480-80-070**

479 **480-80-0701X6 Tariff changes with statutory Statutory notice.**

480 (1) The commission must receive tariff changes with thirty days' notice as required by
481 RCW 80.28.060 and RCW 80.36.110. Telecommunications companies that meet the
482 requirements of RCW 80.36.110(2) may file with ten days' notice to the commission.

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

487 (3) The filing times and requirements for tariff changes are as follows:

488 (a) Mailing. The commission must receive an original and two copies of the
489 revised tariff sheet(s) and a transmittal letter by 5:00 p.m. Pacific time.

490 (b) Telefacsimile filing must be in accordance with WAC 480-80-0X4.

491 (c) Electronic filing must be in accordance with WAC 480-80-0X5.

492

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 -1X9]** 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

509 **Amend 480-80-240**

510 **480-80-2401X7 Tariff changes with less Less than statutory notice.**

511 (1) The commission may allow tariff changes to become effective with less than
512 statutory notice when the utility provides good cause. This process is known as "less
513 than statutory notice" (LSN) handling. A utility filing for LSN handling may use an LSN
514 form supplied by the commission, or a transmittal letter containing at least the following
515 information:

516 (a) Utility information:

517 (i) Name and address of utility;

518 (ii) Unified business identifier (UBI) number;

519 (iii) Telephone number, e-mail address, and facsimile number; and

520 (iv) Name of contact person for the filing.

521 (b) Tariff identification information:

522 (i) Number of the tariff being amended;

- 523 (ii) Title of the tariff item(s) being amended; and
 524 (iii) Number of the tariff sheet being amended.
 525 (c) Concise description of the changes being proposed;
 526 (d) Reason(s) for requesting LSN handling; and
 527 (e) Effective date requested; and
 528 (f) An authorizing statement in the following form:

529
 530 (Name and Title of Issuing Agent) is authorized to issue and file tariffs
 531 on behalf of (Utility)_____.

532
 533 _____
 534 (Signature of Authorizing Agent) (Date)

535
 536 _____
 537 (Print Name) (Title)

538
 539 _____
 540 (Utility)

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

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

545
 546 ~~(1) On every tariff that is to become effective on less than thirty days' statutory notice~~
 547 ~~L.S.N. by permission or by regulation or order of the commission, if it is not otherwise~~
 548 ~~excluded from that requirement, notation must be made on the tariff that it is issued~~
 549 ~~under special permission or by order of the commission as follows:~~

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

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

553
 554 ~~Note: The commission will not accept a tariff for L.S.N. action unless the cover letter under which the tariff~~
 555 ~~is filed clearly and prominently specifies that the tariff is submitted to become effective in less than~~
 556 ~~thirty days.~~

557
 558 ~~(2) Tariffs providing (a) rates for service, etc. not previously rendered and~~
 559 ~~covered by the utility's tariff, (b) revisions which reflect no basic change affecting the~~
 560 ~~public, (c) changes in banded rates as to which notice to customers has been or will be~~
 561 ~~given in accordance with tariff rules applicable to such service, or (d) initial tariffs not~~
 562 ~~affecting regulated service, may become effective on a minimum of one day's notice.~~

563 ***[subsection 2 moved to -1X8]***

564 ~~(3) Requests for permission to change tariffs on less than statutory notice will be~~
 565 ~~granted by the commission only when it deems that circumstances or conditions fully~~
 566 ~~justify the lack of notice. A complete explanation with reasons for the request is required~~
 567 ~~with the tariff revision. The revision shall bear an effective date not less than thirty days~~
 568 ~~after the revision is filed with the commission. All notices relating to the revision shall~~
 569 ~~contain, in addition to the minimum requirements set forth above, a statement to the~~

570 effect that the utility is seeking an earlier effective date than the inserted effective date
571 by means of an L.S.N. Order, which date is (date sought). If the commission grants
572 the request, it will alter the inserted effective date to conform with the authorized
573 effective date. The utility shall then alter the effective date on the tariff revision which is
574 on file at its listed business offices in the territory affected thereby and on all posted
575 notices relative thereto, to show the effective date that the commission has approved.
576 The alterations shall cite the applicable L.S.N. Order. The altered posted notice shall
577 remain posted until the date originally inserted as the revision's effective date.

578

579 **Comments:**

580 1. *Eliminates the requirement to post the LSN notice in business offices.*

581 2. *Provides an option to use a Commission LSN form.*

582

583

584 **New Section**

585 **480-80-1X8 Tariff changes that do not require statutory notice.** [from -240(2)]

586 At least one day before the effective date, a utility must file with the commission tariff
587 changes that do not require statutory notice, which include:

588 (1) Initial tariffs filed by a newly regulated utility;

589 (2) A filing for a service not previously provided by the regulated utility's existing
590 tariff;

591 (3) A tariff change that reflects no basic change affecting the public; and

592 (4) A change in a banded rate when notice to customers has been or will be
593 given in accordance with tariff rules applicable to the service.

594

595 **Comments:**

596 1. *Clarifies that initial tariffs do not require statutory notice.*

597

598

599 **New Section**

600 **480-80-1X9 Failure to provide statutory notice.** [from -070]

601 A tariff issued without the required statutory notice to the commission and the public has
602 the same status as if the tariff had not been issued. A utility must give full statutory
603 notice on any reissued tariff.

604

605

606 **New Section**

607 **480-80-1X10 Withdrawing a filing.**

608 (1) When withdrawing a filing that the commission has not suspended, a utility must
609 submit a letter that includes the following information:

610 (a) Name and address of utility;

611 (b) Docket number;

- 612 (c) Advice number, if applicable;
- 613 (d) Name of contact person for the withdrawal; and
- 614 (e) An authorizing statement in the following form:

615
616 (Name and Title of Issuing Agent) is authorized to withdraw the tariff
617 filing on behalf of (Utility)_____.

618
619 _____
620 (Signature of Authorizing Agent) (Date)

621
622 _____
623 (Print Name) (Title)

624
625 _____
626 (Utility)

627 (2) When withdrawing a filing that the commission has suspended, a utility must
628 submit a letter that contains all the information in subsection (1) and explains why it is
629 requesting the withdrawal. The proposed withdrawal will take effect only upon
630 commission order.

631
632 **Comments:**

- 633 1. *Identifies information needed to withdraw a filing.*

634
635
636 **Amend 480-80-300**

637 **480-80-3001X11 Rejection of tariffs Rejecting tariff changes.**

638 The commission will reject any tariff change that reflects retroactive rate treatment. The
639 commission may reject any tariff change that is found to be out of compliance with
640 commission rules.

641
642 ~~A tariff that is received in a form or filed in a method not in accordance with the form or~~
643 ~~method of tariff publication named in these tariff rules or that reflects retroactive rate~~
644 ~~treatment will be rejected by the commission and that tariff will have the same status as~~
645 ~~if it had not been issued and full statutory notice must be given on any reissue thereof.~~

646
647
648 **Amend 480-80-250**

649 **480-80-2501X12 Tariff adoption Adoption notice and restrictions.**

650 (1) A utility must file a tariff adoption notice with the commission if any of the following
651 changes affect an existing tariff:

- 652 (a) Change in ownership;
- 653 (b) Transfer of all or part of the operating control from one utility to another; or
- 654 (c) Utility name change.

655 (2) The acquiring utility must file the tariff adoption notice if there is a change in
656 ownership or control. The surviving utility must file the tariff adoption notice if there is a
657 name change.

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

659
660 (Name of Utility) adopts and makes its own in every respect all tariffs,
661 supplements and amendments filed with the Washington Utilities and
662 Transportation Commission by (Name of Previous Utility) prior to
663 (Date).

664
665 (4) The tariff adoption notice may be made effective on one day's notice.

666 (5) The utility adopting the tariff must file to incorporate the adopted tariff in its
667 own tariff within sixty days of the date of the filing of the adoption notice **except that the**
668 time limit is one year if the adoption is required due to a name change.

669 **[from -260]**

670 (6) Until the utility that adopted a tariff refiles the tariff in its own name, all
671 changes after the adoption must include:

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

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

675
676 ~~(1) In case of a change of ownership, or when a utility or portion thereof is transferred~~
677 ~~from the operating control of one utility to that of another or when the name of the utility~~
678 ~~is changed, the utility thereafter operating, if it intends to use the tariff of the former~~
679 ~~operating utility, shall, for each tariff so used, issue and file with the commission and~~
680 ~~shall, at the same time, post for thirty days at its listed business offices and its payment~~
681 ~~agencies in the area affected thereby, an adoption notice substantially as follows:~~

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

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

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

699
700 **Comments:**

- 701 1. Removes language referring to "if it intends to use the tariff of the former
- 702 operating utility."
- 703 2. Removes the requirement to post the adoption notice. Notification is addressed
- 704 in the new proposed consumer rules.
- 705 3. Extends the time period for incorporating an adopted tariff into the new utility's
- 706 tariff due to a name change from 60 days to one year.
- 707 4. Combines 480-80-250 and 480-80-260 into one rule.
- 708 5. Removes the second utility adoption restriction.

709
710
711

Amend 480-80-320

712 **480-80-320X13 Discontinuance of Discontinuing a service or services.**

713 When a utility desires to discontinue discontinuing a service or services, it shall a utility
 714 must file a cancellation of the particular tariff to be discontinued or file a revised tariff
 715 omitting the particular item or items discontinued accompanied by advice referring to the
 716 items discontinued and the reason therefor. The utility must include a transmittal letter
 717 that identifies the change(s) and explains why it is requesting the discontinuance. Such
 718 filing of cancellations shall Discontinuation filings will be subject to full thirty days'
 719 statutory notice, unless made effective by a ~~without~~ less than statutory notice order, and
 720 shall will be subject to all other ~~provisions with respect to tariff filings~~ tariff filing
 721 provisions.

722
723
724

725 **III. PRICE LISTS**

726
727

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

729 **480-80-2X1 Use of price lists.**

730 (1) A utility classified as competitive under RCW 80.36.320 may file a price list to offer
 731 any intrastate telecommunications service. A utility that has not been classified as
 732 competitive may file a price list to offer any intrastate telecommunications service that
 733 has been classified as competitive under RCW 80.36.330.

734 (2) A utility may file a tariff for a service even if the commission has determined
 735 that service to be subject to effective competition. If a utility elects to offer a competitive
 736 service by tariff, the utility and the service will be subject to all rules and laws applicable
 737 to fully regulated services, and any waivers of rule or law otherwise applicable to
 738 competitive services or competitive utilities will not apply.

739
740

741 **480-80-2X2 Interpretation and application of price lists.**

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

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

747
748

749 **480-80-2X3 Price lists format and content.**

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

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

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

756 (4) A price list must conform to all applicable laws, rules, and orders. The filing
757 of a non-conforming price list will not be deemed a waiver of the law, rule, or order. Any
758 price list provision that conflicts with a law, rule, or order may not be enforced unless the
759 commission waives that law, rule, or order.

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

762 (6) A price list of a utility offering a service classified as competitive under RCW
763 80.36.330 may state the rates, charges, or prices as maximum and minimum amounts
764 rather than specific prices. The minimum price must comply with the cost requirement
765 in subsection (8).

766 (7) A price list filing must be accompanied by a transmittal letter in compliance
767 with the provisions of WAC 480-80-0X3.

768 (8) The rates, charges, and prices of services classified as competitive under
769 RCW 80.36.330 must cover the utility's cost of providing the service. Costs will be
770 determined under a long run incremental cost analysis, including the price charged by
771 the offering utility to other telecommunications carriers for any essential function used to
772 provide the service, or any other commission-approved cost method.

773
774

775 **480-80-2X4 Effective date of price list filings.**

776 (1) Any new price list or price list change becomes effective on the later of (a) the
777 effective date stated in the price list, (b) ten days after it is filed with the commission, or
778 (c) ten days after the utility provides to any existing customers actual notice of the
779 change in accordance with WAC 480-120-XXX.

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

783

784

785 **480-80-2X5 Price list availability to customers.**

786 (1) Each utility must maintain a complete copy of the price list that is on file with the
787 commission on a web site accessible to the public using standard web browser
788 software.

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

791 (3) Each utility must provide to any customer making a written or oral request a
792 copy of the price list applicable to that customer's service. The utility must provide the
793 price list at no charge to the customer. This subsection does not apply if the utility
794 makes available for public inspection, at a location within the customer's exchange, a
795 complete copy of the price list.

796

797

798 **480-80-035 Price Lists.**

799 ~~(1) Pursuant to RCW 80.36.310 telecommunications services classified by the~~
800 ~~commission as competitive will be offered under price lists. All services of competitive~~
801 ~~telecommunications companies as classified by the commission under RCW 80.36.310~~
802 ~~will be offered under price lists.~~

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

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

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

817 ~~(b) Contracts which offer services classified as "competitive" under RCW~~
818 ~~80.36.330 shall be filed with the commission at least ten days prior to the effective~~
819 ~~date. Such contracts may not include both "price listed" and "tariffed" services~~
820 ~~unless the tariffed services are set forth separately and offered under an approved~~
821 ~~tariff or contract (see WAC 480-80-330). A contract filed pursuant to this subdivision~~
822 ~~may be rejected if the telecommunications company is unable to document that the~~
823 ~~price charged covered its relevant costs under either a long run incremental cost~~
824 ~~analysis or a fully distributed cost analysis whichever is lower, or any other~~
825 ~~commission approved cost method. A contract filed pursuant to this subdivision may~~
826 ~~also be rejected upon a showing that it is otherwise unlawful. To meet its burden of~~

827 proving that the contract is cost-based, the company shall, at a minimum, provide
828 the following information at the time of filing:

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

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

833 (c) All contracts filed pursuant to this subsection shall be for a stated time
834 period.

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

839 (4) Federal contracts. Where a federal agency asserts its authority to solicit a
840 firm offer of services and a contract subject to this section is submitted in response
841 to that solicitation, the provisions of subsection (3) of this section will not apply.
842 Upon the acceptance of such a contract offer by the federal agency, the
843 telecommunications company shall immediately file the contract with the commission
844 and must include the same documentation otherwise required by this section.

845 (5) Federal universal service contracts with schools, libraries, and rural health care
846 providers pursuant to 47 CFR, Part 54. When a telecommunications company
847 enters into a contract to provide competitively classified service to a school, library,
848 or rural health care provider, as part of the federal universal service program, the
849 telecommunications company must file the contract if the rates, terms, or conditions
850 of the prediscouted contract service depart from the price list. The contract must
851 be filed immediately upon acceptance by the administrator of the federal universal
852 service program. The filing must include the same documentation required for
853 approval by subsection (3)(b) of this section. The contract shall become effective
854 immediately upon filing with the commission, or at such later time as is specified in
855 the contract.

856 857 858 859 **IV. CONTRACTS**

860
861 **Amend 480-80-325** *Effective 5/5/01 480-120 027 was repealed and subsequently*
862 *adopted as 480-80-325. Includes part of -326.*

863 **480-80-325X1 Contract for service.**

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

867 (2) Electric, gas, and water companies must provide the commission with a
868 sample of each contract for service form currently used.

869 (3) Upon request, telecommunications companies must provide the commission
870 with a sample of typical contract for service forms currently used within five days.

871
872 Whenever the classification of service under which the customer is to be served
873 requires that such service shall be taken for a specified minimum period a contract may
874 be executed. A sample copy of each typical contract form currently in use by the utility
875 shall be submitted to the commission and the commission shall be notified when any
876 change other than a minor deviation is made in these forms.

877 Any contract with an information provider shall require that the information
878 provider, in any institutional advertising or promotion, state prominently in such
879 advertising the cost to the customer.

880
881 **Comments:**

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

885 (2) Reduces the requirement to "upon request" for telecommunications companies
886 only.

887
888
889 **Amend 480-80-330**

890 **480-80-330X2 Special contracts for telecommunications companies not**
891 **classified as competitive Telecommunications contracts.**

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

894 (a) All contracts for the retail sale to end-use customers of regulated intrastate
895 telecommunications services that have not been classified as competitive that:

896 (i) State rates, charges, prices, terms, or conditions that are not
897 consistent with any existing tariff; or

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

900 (b) Any significant modification of a previously executed contract will be treated
901 as a new contract.

902 (c) A service order made pursuant to a filed contract is not itself a contract or
903 contract amendment and need not be filed with the commission.

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

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

908 (4) Types of telecommunications contracts. The following types of
909 telecommunications contracts have special or unique features, effective dates, and
910 requirements:

911 (a) Federal, state, and local government "firm bid" contracts are governed under
912 subsection (5).

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

915 (c) All other retail contracts are governed under subsection (7).
 916

SUMMARY COMPARISON OF THE DIFFERENT TYPES OF RETAIL CONTRACTS			
Subsection	Contract Type	When to File	Effective Date
(5)	Federal, State, and Local 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

917
 918 (5) Federal, state, and local government “firm bid” contracts - filing requirements
 919 and effective dates. Where a government agency asserts its authority to solicit a firm
 920 offer of services and a contract subject to this section is submitted in response to that
 921 solicitation, the telecommunications company must file the contract with the commission
 922 no later than fifteen days after acceptance. The filing must include the same
 923 documentation as required for approval by subsection (7) of this section. The contract
 924 will become effective at the time specified in the contract, but not earlier than when filed
 925 with the commission.

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

934 (7) All other retail contracts - standard filing requirements and effective dates.
 935 (a) Contracts must be filed with the commission not less than thirty days before
 936 the proposed effective date of the contract.

937 (b) Each application filed for commission approval of a contract must:
 938 (i) Include a complete copy of the proposed contract;
 939 (ii) Show that the contract meets the requirements of RCW 80.36.170
 940 (prohibiting unreasonable preference) and RCW 80.36.180 (prohibiting rate
 941 discrimination);

942 (iii) Demonstrate, at a minimum, that the contract charges cover the
 943 company’s cost of providing the service. Costs will be determined under a long run
 944 incremental cost analysis, including the price charged by the offering company to other

945 telecommunications carriers for any essential function used to provide the service, or
946 any other commission-approved cost method.

947 (iv) Summarize the basis of the charge(s) proposed in the contract and
948 explain the derivation of the proposed charge(s) including all cost computations
949 involved; and

950 (v) Indicate the basis for using a contract rather than a filed tariff for the
951 specific service involved.

952 (c) Contracts will become effective on the effective date stated on the contract or
953 thirty days after the filing date, whichever occurs later, unless suspended or rejected by
954 the commission. The commission may approve an earlier effective date, in which event
955 the contract shall not become effective on a date that precedes commission approval.
956 A request for an earlier effective date must include a complete explanation of why an
957 earlier effective date is appropriate.

958 (8) Confidentiality. Filings under this section may be submitted with portions
959 designated "confidential" pursuant to WAC 480-09-015. However, any filing that
960 designates as "confidential" the essential terms and conditions will be rejected by the
961 commission as not in compliance with the public inspection requirement of RCW
962 80.36.100. Essential terms and conditions are:

963 (a) Nature, characteristics, and quantity of the service provided;

964 (b) Duration of the contract, including the stated effective date, ending date, and
965 any options to renew;

966 (c) Charge(s) for service, including minimum charge provisions; and

967 (d) Geographic location(s), such as exchange or city, where service will be
968 provided.

969
970 ~~(1) Contracts to be filed. All contracts with end use customers for the retail sale of~~
971 ~~regulated intrastate telecommunications services which contain or state rates or~~
972 ~~conditions not in conformance with any applicable tariff or which provide for~~
973 ~~telecommunications services which are not specifically addressed in the~~
974 ~~telecommunications company's published tariffs shall be filed with the commission in~~
975 ~~accordance with this section. For purposes of this section the modification of a~~
976 ~~previously executed contract will be treated as a new contract. This section shall not~~
977 ~~apply to contracts which offer services subject to a price list filed pursuant to WAC 480-~~
978 ~~120-027.~~

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

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

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

996 ~~(5) Documentation. Each contract and substantial contract modification filed~~
997 ~~pursuant to this section shall be accompanied by documentation to show that the~~
998 ~~contract does not result in undue or unreasonable discrimination between customers~~
999 ~~receiving like and contemporaneous service under substantially similar circumstances;~~
1000 ~~and provides for the recovery of all costs associated with the provision of the services.~~
1001 ~~In addition, the telecommunications company shall file the following information in~~
1002 ~~conjunction with each contract submitted:~~

1003 ~~(a) A statement summarizing the basis of the rate or charge proposed in the~~
1004 ~~contract and an explanation of the derivation of the proposed rate or charge;~~

1005 ~~(b) An explanation of all cost computations involved in arriving at the derivation of~~
1006 ~~the level of the rate or charge in the contract; and~~

1007 ~~(c) A statement indicating the basis for the use of a contract rather than a filed~~
1008 ~~tariff for the specific service involved.~~

1009 ~~(6) Duration of contract. All contracts shall be for a stated time period.~~

1010 ~~(7) Confidentiality. Filings under this section may be submitted with portions~~
1011 ~~designated "confidential" pursuant to WAC 480-08-015. However, any filing which~~
1012 ~~designates as "confidential" the essential terms and conditions will be rejected by the~~
1013 ~~commission.~~

1014 ~~(8) Federal universal service contracts with schools, libraries, and rural health~~
1015 ~~care providers pursuant to 47 CFR, Part 54. When a telecommunications company~~
1016 ~~enters into a contract to provide service to a school, library, or rural health care provider,~~
1017 ~~as part of the federal universal service program, the telecommunications company must~~
1018 ~~file the contract if the rates, terms, or conditions of the prediscouted contract service~~
1019 ~~depart from the tariff. The contract must be filed immediately upon acceptance by the~~
1020 ~~administrator of the federal universal service program. The filing must include the same~~
1021 ~~documentation required for approval by subsection (5) of this section. The contract~~
1022 ~~shall become effective immediately upon filing with the commission, or at such later time~~
1023 ~~as is specified in the contract.~~

1024
1025 **Comments:**

1026 1. *Clarifies current requirements.*

1027 2. *Makes a generic imputation standard more explicit, see subsection (7)(b)(iii).*

1028
1029
1030 **Amend 480-80-335**

1031 **480-80-3353X3 Special contracts for electric, water, and natural gas companies.**

1032 (1) Contracts to be filed. Electric, water, and natural gas companies must file with the
1033 commission all contracts for the retail sale of regulated utility services to end-use
1034 customers that:

- 1035 (a) State charges or conditions that do not conform to any existing tariff; or
- 1036 (b) Provide for utility services not specifically addressed in the utility's existing
1037 tariffs.

1038 (2) ~~Significant~~ Any significant modification of a previously executed contract will
1039 be treated as a new contract for purposes of this section.

1040 (3) Essential terms and conditions of all contracts filed pursuant to this section
1041 are considered a part of the utility's filed tariffs and are subject to enforcement,
1042 supervision, regulation, control, and public inspection as such. The provisions of this
1043 chapter will apply except for those provisions governing the filing, notice, and form of
1044 tariffs, including those stated in WAC 480-80-~~XXX060~~ through 480-80-~~XXX320~~.

1045 (4) Filing and effective dates. The contract will become effective on the effective
1046 date stated on the contract or thirty days after the filing date, whichever occurs later,
1047 unless suspended or rejected by the commission. The commission, ~~for good cause~~
1048 ~~shown~~, may approve an earlier effective date. ~~In no, in which event may a the contract~~
1049 shall not become effective on a date that precedes commission approval. ~~The A~~
1050 request for an earlier effective date must include a complete explanation of why an
1051 earlier effective date is appropriate.

1052 (5) Each application filed for commission approval of a contract must:

- 1053 (a) Include a complete copy of the proposed contract;
- 1054 (b) Show that the contract meets the requirements of RCW 80.28.090 (prohibiting
1055 unreasonable preference) and RCW 80.28.100 (prohibiting rate discrimination);
- 1056 (c) Demonstrate, at a minimum, that the contract charges recover all costs
1057 resulting from providing the service during its term, and, in addition, provide a
1058 contribution to the utility's fixed costs;
- 1059 (d) Summarize the basis of the charge(s) proposed in the contract and explain
1060 the derivation of the proposed charge(s) including all cost computations involved; and
- 1061 (e) Indicate the basis for using a contract rather than a filed tariff for the specific
1062 service involved. If the basis for using a contract is the availability of an alternative
1063 service provider, identify that provider.

1064 (6) All contracts must be for a stated time period. The commission may approve
1065 terms and conditions that prescribe the charge(s) to be applied during the time period, if
1066 such charge(s) are found to be appropriate. Unless otherwise provided by the
1067 commission, such approval will not be determinative with respect to the expenses and
1068 revenues of the utility for subsequent ratemaking considerations.

1069 (7) Filings under this section may be submitted with portions designated
1070 "confidential" pursuant to WAC 480-09-015. However, any filing that designates the
1071 essential terms and conditions of the contract as "confidential" shall be rejected by the
1072 commission as not in compliance with the public inspection requirement of RCW
1073 80.28.050. Essential terms and conditions are:

- 1074 (a) Identity of the customer;
- 1075 (b) Nature and characteristics of the service provided, including interruptible, firm,

- 1076 or peak delivery;
1077 (c) Duration of the contract, including any options to renew;
1078 (d) Charge(s) for service, including minimum charge provisions;
1079 (e) Geographic location where service will be provided; and
1080 (f) Additional obligations specified in the contract, if any.
1081

1082 **Comments:**

- 1083 1. *Updates revised WAC reference numbers only.*
1084
1085

1086 *480-80-3X4 and 480-80-3X5 replace the contract portion of 480-80-035. Effective*
1087 *5/5/01 480-120-027 was repealed and subsequently adopted as 480-80-035*

1088 **480-80-3X4 Using contracts for services classified as competitive.**

1089 (1) If a utility makes an offer of service at prices, terms, or conditions other than those in
1090 its price list, and the customer accepts that offer, the utility must provide the service at
1091 prices, terms, and conditions consistent with the offer. Except as provided in WAC 480-
1092 80-3X5, the utility must file with the commission either a price list change or a customer
1093 contract setting out the alternative prices, terms, and conditions.

1094 (2) All contracts will be for a stated time period.

1095 (3) A contract will be enforceable by the contracting parties according to its terms
1096 even if the utility fails to file the contract where required by WAC 480-80-3X5.

1097 (4) Any contract for a service classified as competitive under RCW 80.36.330
1098 must comply with the cost requirement in WAC 480-80-2X3(8).

1099 (5) A contract must not include both "price listed" and "tariffed" services unless
1100 the tariffed services are set forth separately (see WAC 480-80-3X2).
1101
1102

1103 **New Section**

1104 **480-80-3X5 Filing contracts for services classified as competitive.**

1105 (1) This section applies to services offered by any utility classified as competitive under
1106 RCW 80.36.320 and to any service classified as competitive under RCW 80.36.330.
1107 However, if a utility has elected, pursuant to WAC 480-80-2X1(3) to offer a competitive
1108 service by tariff, the contract rules in WAC 480-80-3X2 applicable to tariffed services
1109 apply instead.

1110 (2) A utility must file with the commission any contract with an end user for retail
1111 intrastate telecommunications service if the service is not included in its price list or the
1112 contract contains prices, terms, or conditions other than those in its price list. A utility is
1113 not required to file a contract with prices below the maximum prices in the price list, as
1114 provided for in WAC 480-80-2X3(5), or within the maximum and minimum prices in the
1115 price list, as provided for in WAC 480-80-2X3(6), if the contract otherwise is consistent
1116 with the price list.

1117 (3) Any significant modification to a previously executed contract is a new
1118 contract and must be filed as required by this section.

1119 (4) Unless it includes a provision allowing the commission to reject it during the
1120 first fifteen days after it is filed, any contract required by subsection (2) to be filed with
1121 the commission will become effective on the later of (a) its stated effective date and (b)
1122 ten days after it is filed with the commission. The deadline for filing a contract that
1123 provides for commission rejection within fifteen days of filing is fifteen days after its
1124 stated effective date.

1125 (5) Filings under this section may be submitted with portions designated
1126 "confidential" pursuant to WAC 480-09-015. However, the commission will reject any
1127 filing that designates as "confidential" the essential terms and conditions of a contract
1128 as defined in WAC 480-80-3X2(8).

1129 (6) A utility filing a contract for a service classified as competitive under RCW
1130 80.36.330 must provide information demonstrating that the contract prices comply with
1131 the cost requirement in WAC 480-80-2X3(8).

1132
1133
1134

1135 **V. REPEALED SECTIONS**

1136

1137 **480-80-041 Tariff.**

1138 ~~Services which the commission has classified as competitive telecommunications~~
1139 ~~services, including all services offered by companies which the commission has~~
1140 ~~classified as competitive telecommunications companies, are exempted from the~~
1141 ~~requirement to file tariffs. Price lists for services exempted from the requirement to file~~
1142 ~~tariffs shall be filed in accordance with WAC 480-120-027. Price list changes must be~~
1143 ~~provided in triplicate and be accompanied by a letter of transmittal describing the~~
1144 ~~changes proposed.~~

1145

1146 **Comments:**

1147 *1. Eliminates the requirement to include two extra copies with the price list filing.*

1148

1149

1150 **480-80-047 Access charges.** *[Repeal Moved to 480-120-541 in Docket U-991301,*
1151 *effective 5/5/01]*

1152

1153

1154 **480-80-048 Collective consideration of Washington intrastate rate, tariff, or**
1155 **service proposals.** *[Repeal Moved to 480-120-542 in Docket U-991301, effective*
1156 *5/5/01]*

1157

1158

1159 **480-80-049 Caller identification service.** *[Moved to 480-120-543 in Docket U-*
1160 *991301, effective 5/5/01]*

1161
1162

1163 **480-80-050 Copies of tariff to be filed.** *[Moved to -1X1]*

1164 ~~Three copies of each tariff shall be sent to the commission accompanied by a letter of~~
1165 ~~transmittal. The letter of transmittal must describe any proposed changes to existing~~
1166 ~~tariffs. One copy will then be returned to the utility by the commission, after processing,~~
1167 ~~with the receipt date noted thereon.~~

1168
1169

1170 **480-80-060 Delivery of tariff.** *[Moved to -1X1]*

1171 ~~No tariff issued by any utility will be accepted for filing, if not otherwise excepted, unless~~
1172 ~~it is delivered to the commission, free from all charges or claims for postage, the full~~
1173 ~~thirty days required by law before the date upon which such tariff is to become effective,~~
1174 ~~as noted, accompanied by a statement that public notice, as required, has been given to~~
1175 ~~the public immediately prior to or coincident with the date upon which such proposal is~~
1176 ~~transmitted to this office. No consideration will be given to the time during which a tariff~~
1177 ~~may be held for delivery charges. The issued date and the effective date must be~~
1178 ~~clearly indicated in the appropriate space on each sheet. The issued date must be a~~
1179 ~~date either prior to or coinciding with the date on the letter accompanying the tariff.~~

1180
1181

1182 **480-80-080 Tariff file at principal business office.**

1183 ~~(1) Each utility shall provide and maintain at its principal business office, currently listed~~
1184 ~~with and acknowledged by letter of the commission, a complete file of the effective tariff~~
1185 ~~which it issues or is a party to, which file will be in charge of an employee of the utility~~
1186 ~~who shall give desired information and assistance to those who may wish to consult~~
1187 ~~such file. This file shall be open and accessible to the public on the ordinary business~~
1188 ~~days and during the ordinary hours of said office.~~

1189 ~~(2) Each of the utilities whose principal business office is not in Washington shall~~
1190 ~~designate some one place in Washington, to be acknowledged by letter of the~~
1191 ~~commission, at which place such complete file shall be kept.~~

1192 ~~(3) Any utility which has not obtained written acknowledgement of its principal~~
1193 ~~business office since June 1, 1959, will be required to do so before further tariff~~
1194 ~~revisions will be entertained from that utility.~~

1195 ~~(4) There shall be kept posted by the utility, in a public and conspicuous place in~~
1196 ~~every such office, a notice not smaller than 8" x 10" in size, printed in bold type, as~~
1197 ~~follows:~~

1198
1199
1200

(Name of Utility)

1201
1202 A COMPLETE PUBLIC FILE OF THE TARIFFS OF THE ABOVE-
1203 NAMED UTILITY, APPLICABLE TO THIS TERRITORY, IS
1204 MAINTAINED IN THIS OFFICE AND MAY BE INSPECTED BY ANY
1205 PERSON UPON APPLICATION AND WITHOUT THE ASSIGNMENT
1206 OF ANY REASON FOR SUCH DESIRE. A REPRESENTATIVE OF
1207 THE UTILITY WILL ASSIST IN SECURING INFORMATION FROM
1208 THE TARIFFS.

1209
1210 **Comments:**

1211 1. Will be addressed in Customer Notice Rules in industry chapters: 480-090-
1212 193, 480-100-193, 480-120-043, and 480-121-X04.
1213

1214 **480-80-090 Tariff file at designated business offices.**

1215 (1) Each utility shall keep at each designated business office, currently listed with and
1216 acknowledged by letter of the commission, (this list shall contain all of the utility's
1217 offices, other than its principal business office, that are normally open to the public for
1218 the transaction of business relating to the state of Washington and to which the utility so
1219 certifies) a complete and correct copy of the tariff containing rates applicable to the
1220 territory under the jurisdiction of that office: *Provided*, That telephone and telegraph
1221 utilities will be required to keep interexchange and telegraph rates at toll checking
1222 centers only.

1223 (2) Any utility which has not obtained written acknowledgement of its designated
1224 business offices since June 1, 1959, will be required to do so before further tariff
1225 revisions will be entertained from that utility.

1226 (3) There shall be kept posted by the utility, in a public and conspicuous place in
1227 every such office, a notice not smaller than 8" x 10" in size, printed in bold type, as
1228 follows:

1229
1230 (Name of Utility)

1231
1232 A COMPLETE PUBLIC FILE OF THE TARIFFS OF THE ABOVE-
1233 NAMED UTILITY, APPLICABLE TO THIS TERRITORY, IS
1234 MAINTAINED IN THIS OFFICE AND MAY BE INSPECTED BY ANY
1235 PERSON UPON APPLICATION AND WITHOUT THE ASSIGNMENT
1236 OF ANY REASON FOR SUCH DESIRE. A REPRESENTATIVE OF
1237 THE UTILITY WILL ASSIST IN SECURING INFORMATION FROM
1238 THE TARIFFS.

1239
1240

1241 **480-80-100 Payment agencies.**

1242 (1) In payment agencies (offices other than those of the utility but in which are located
1243 persons authorized to receive payment for the utility's billed accounts) and in utility

1244 ~~offices not listed as business offices because they are not always open to the public,~~
1245 ~~there shall be kept posted by the utility in a public and conspicuous place a notice not~~
1246 ~~smaller than 8" x 10" in size, printed in bold type, as follows:~~

1247
1248 (Name of Utility)
1249

1250 ~~A COMPLETE PUBLIC FILE OF THE TARIFFS OF THE ABOVE-~~
1251 ~~NAMED UTILITY, APPLICABLE TO THIS TERRITORY, IS~~
1252 ~~MAINTAINED IN. (NAME, ADDRESS, AND TELEPHONE~~
1253 ~~NUMBER OF NEAREST LISTED BUSINESS OFFICE~~
1254 ~~RESPONSIBLE FOR THAT SERVICE AREA) AND MAY BE~~
1255 ~~INSPECTED BY ANY PERSON UPON APPLICATION AND~~
1256 ~~WITHOUT THE ASSIGNMENT OF ANY REASON FOR SUCH~~
1257 ~~DESIRE. A REPRESENTATIVE OF THE UTILITY WILL ASSIST IN~~
1258 ~~SECURING INFORMATION FROM THE TARIFFS.~~

1259
1260 ~~(2) In lieu of the notice specified in the preceding subsection, the utility may~~
1261 ~~stamp or print on each bill or envelope in which such bill is mailed, or enclose therewith,~~
1262 ~~a statement giving the name, address and telephone number of its nearest listed~~
1263 ~~business office at which such tariffs are maintained. Commencing ninety days or earlier~~
1264 ~~from July 31, 1959 this procedure must be followed in those instances where a utility~~
1265 ~~does not have a listed business office or a payment agency in the service area.~~

1266
1267 **Comments:**

- 1268 1. *Eliminates the requirement to post a tariff availability notice at payment agencies.*
1269
1270

1271 **480-80-110 Reference to tariff file.**

1272 ~~(1) Each utility shall keep tariff files complete and in readily accessible form and shall~~
1273 ~~assist those desiring information therefrom without requiring or requesting the inquirers~~
1274 ~~to assign any reason for such desire.~~

1275 ~~(2) Every utility shall check its tariff file at each office where kept at least once~~
1276 ~~every six months.~~

1277
1278 **Comments:**

- 1279 1. *Removes the requirement to check tariff on file, in business office, once every six*
1280 *months.*
1281
1282

1283 **480-80-120 Notice to the public of tariff changes.** *[Moved to 480-90-193, 480-100-*
1284 *193, and 480-120-043 in Docket U-991301, effective 5/5/01]*
1285
1286

1287 ~~480-80-125~~ **Notice by utility to customers concerning hearing.** *[Customer notice*
1288 *rules will move to industry chapters: 480-090-193, 480-100-193, 480-120-043, and 480-*
1289 *121-X04.]*

1290 The purpose of this requirement is to ensure that customers of a utility which is
1291 proposing a rate increase or a banded tariff which proposes an increase in the
1292 maximum rate receive reasonable notice of the nature and the magnitude of the
1293 proposed increase, so that the customer is able reasonably to make an informed
1294 decision about whether to participate in the hearing process.

1295 ~~(1) Whenever any utility proposes to increase any rate or charge for the service~~
1296 ~~or commodities furnished by it or proposes a banded tariff which includes an increased~~
1297 ~~maximum rate, and the commission has issued an order instituting investigation~~
1298 ~~concerning such increase, the utility shall supply a statement to such customers or~~
1299 ~~classes of customers designated in the order instituting investigation that a hearing will~~
1300 ~~be held by the commission at which members of the public will be afforded an~~
1301 ~~opportunity to testify. The statement shall also set forth the amount of the proposed~~
1302 ~~increase expressed in (a) total dollars and average percentage terms, and (b) the~~
1303 ~~average monthly increases that customers in each category or subcategory of service~~
1304 ~~might reasonably expect. Categories or subcategories of service shall be identified in~~
1305 ~~tariff terms, and if those terms are different from those commonly used by the utility or~~
1306 ~~understood by customers, the notice shall incorporate that commonly used or~~
1307 ~~understood terminology. The notice shall further contain the information that a public~~
1308 ~~counsel will be appointed to represent the public and the mailing address of the~~
1309 ~~commission to which any customer inquiries to the commission or to the public counsel~~
1310 ~~relative to the public hearing date may be directed. The statement shall accompany, as~~
1311 ~~a separate document, regular bills distributed by the utility to its customers, starting with~~
1312 ~~the first billing cycle reasonably available following issuance of the commission's order~~
1313 ~~instituting investigation and continuing throughout the utility's billing cycle covering~~
1314 ~~customers of the utility as of the date of the commission's order instituting investigation.~~
1315 ~~As an alternative the utility may make a separate distribution of the statement within~~
1316 ~~thirty days following the date of the issuance of the order instituting investigation.~~
1317 ~~Whether disseminated as part of a regular billing or separately the notice shall be~~
1318 ~~prepared in such a manner as to attract attention to it and to distinguish it from other~~
1319 ~~material simultaneously distributed. A copy of such statement shall also be mailed or~~
1320 ~~delivered to at least one newspaper of general circulation, and at least one radio station~~
1321 ~~and at least one television station, in the area or each of the areas affected. The utility~~
1322 ~~shall promptly file a copy of the statement with the commission and certify it has~~
1323 ~~complied with or is in the process of complying with these mailing and delivery~~
1324 ~~requirements.~~

1325 ~~(2) The statement required by WAC 480-80-125(1) shall be in form and content~~
1326 ~~substantially as follows:~~

1327
1328 **IMPORTANT NOTICE**

1329
1330 **(Company) is Requesting**
1331 **A Rate Increase**

Washington Utilities
and Transportation
Commission

Cause No. U-.....

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

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

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

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

~~Secretary
Washington Utilities and
Transportation Commission
1300 S. Evergreen Park Drive S.W.
Olympia, WA 98504-8002.~~

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

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

~~(4) The rates shown here are only a request by the company. After the hearings are over, the commission will consider the evidence. It can deny~~

1377 all of the request, grant it all, or grant some of it. The commission also
1378 has the authority to set rates that are different from the company's
1379 request--higher or lower--for each kind of service.

1380
1381 Name of Company Official
1382 Title of Company Official
1383 Name of Company

1384 SUMMARY OF REQUESTED RATE INCREASES

1386	1387 Range of Requested	1388 Typical
1389	1388 Increases	1389 Increase in
1390	1389 or Increases	1390 Average Bill
1391	1390 Type of Service	1391 in Unit Price
1392	1391	1392 (Dollars)

1392 (Identify the tariff category, including, as needed for public understanding,
1393 the tariff category title, the term commonly used by the company, and the
1394 term commonly used by customers to describe the type of service
1395 affected. Set out the information on a monthly basis. If the company's
1396 billing cycle is not monthly, clearly explain the effect, by footnote or
1397 otherwise, per billing cycle. If the rates vary by season or time, specify the
1398 range and basis for variation. If the rate is charged on the basis of unit
1399 consumption, such as energy consumption, the increase shall be stated in
1400 a cents-per-unit or on a percentage basis for the tariff category. It shall
1401 then as to residential customers illustrate increases in representative
1402 consumption classifications. If the rate is charged on the basis of monthly
1403 rate per service or per item of equipment, the increase shall be stated on
1404 the basis of percentage increase for the classification or range of increase
1405 within the classification, using commonly recognized representative
1406 examples demonstrating the range and the typical effect of the increases.)

1407
1408 (The following shall be added, if applicable:)

1409
1410 Note: The figures shown here are ranges and averages. It is not possible to set out every service or
1411 every variation in this brief notice.

1412
1413 If you want to know how the company's proposal will affect you if the commission adopts it totally,
1414 call or write (telephone number and address of office or offices where customers will receive a
1415 prompt, accurate answer. Address and telephone number may be omitted if included elsewhere in
1416 the information simultaneously received by the consumer and if clearly referenced. The utility shall
1417 respond to customer inquiries no later than the close of the fifth business day following receipt of
1418 the inquiry at any of its appointed offices. Inquiries may be forwarded from branch offices to a
1419 central office or division if this is done at no cost to the consumer and if a response is generated to
1420 the consumer within the reasonable time limit).

1421
1422 (3) The requirements of WAC 480-80-125 shall be in addition to such other
1423 requirements as are imposed or may be imposed by statute or rule pertaining to notice
1424 to the public of proposed tariff changes.

1425 ~~(4) Upon determination by the commission that the due and timely exercise of its~~
1426 ~~functions requires the hearing for receipt of evidence from the public to be held at a time~~
1427 ~~which makes it impracticable for the utility to comply with the requirements of WAC 480-~~
1428 ~~80-125(1), it may by letter to the utility dispense with all or part of such requirement.~~

1429 ~~(5) Failure to accomplish substantial compliance with the requirements of this~~
1430 ~~rule will subject the utility to imposition of penalties in accordance with the provisions of~~
1431 ~~RCW 80.04.405.~~

1432
1433

1434 **480-80-130 Notation of receipt of tariff by agents.**

1435 ~~Each utility shall require its agent or other representative at every office where tariffs are~~
1436 ~~required to be on file, upon receipt of a tariff or part of a tariff for filing at that office, to~~
1437 ~~make a written receipt therefor showing the date when it was received and the date~~
1438 ~~when it was filed and the utility shall keep and preserve such receipts for a period of at~~
1439 ~~least one year.~~

1440

1441 **Comments:**

1442 *(1) Eliminates record keeping requirement.*

1443
1444

1445 **480-80-140 Form of tariff sheets. [Moved to -1X3(1)]**

1446 ~~All sheets of tariffs must be clearly printed or typed on forms comparable with the~~
1447 ~~commission's standard forms. These forms shall be 8-1/2" x 11" in size and of~~
1448 ~~comparable paper to that used for utility tariff purposes by the commission. Tariff~~
1449 ~~sheets shall have sufficient space on the left margin for binding.~~

1450
1451

1452 **480-80-150 Numbering of tariffs. [Moved to -1X3(2)]**

1453 ~~When a utility supplies more than one kind of service, such as electric, water or gas, it~~
1454 ~~shall file separate tariffs for each kind of service. Each completely new tariff hereafter~~
1455 ~~filed will bear a WN U-serial number and each tariff so numbered must be given the~~
1456 ~~next numerical WN U-number not heretofore assigned to the utility's tariffs. The number~~
1457 ~~shall be the official designation of the tariff. The use of additional tariff designations by~~
1458 ~~the utility will be permitted.~~

1459
1460

1461 **480-80-160 General arrangement of tariff. [Moved to -1X2 and -1X3(3)]**

1462 ~~(1) Each utility tariff shall consist of a standard title page, a standard index page, a~~
1463 ~~complete set of rules and regulations governing service and a set of rate schedule~~
1464 ~~sheets.~~

1465 (2) Each sheet of every tariff shall contain, in general, the tariff number, the tariff
1466 sheet number, the name of the utility issuing the tariff and the issued date and the
1467 effective date of the sheet. One copy of each sheet must bear the actual or facsimile
1468 signature of the one authorized to issue and file tariffs.
1469
1470

1471 **480-80-170 Schedule designation.**

1472 Scheduled numbers or letters shall be assigned so as to facilitate reference to the
1473 schedules.
1474

1475 **Comments:**

1476 1. Not necessary.
1477
1478

1479 **480-80-180 Tariff sheet designation. [Moved to -1X3(4)]**

1480 (1) Each sheet of every utility tariff shall bear a sheet number, each number differing
1481 from the other. Upon the first publication of the sheet it shall be designated as original
1482 sheet The same sheet number shall appear on all subsequent revisions of the
1483 sheet and the revisions of the sheet shall be numbered substantially as follows:
1484

1485 On the first revision the sheet shall be designated:

1486 FIRST REVISION OF SHEET
1487 CANCELLING
1488 ORIGINAL SHEET
1489

1490 On the second revision the sheet shall be designated:

1491 SECONDDREVISIONOFSHEET
1492 CANCELLING
1493 FIRST REVISION OF SHEET
1494
1495
1496

1497 (2) On all subsequent revisions the sheet shall bear consecutive revision
1498 numbers and shall indicate the cancellation of the superseded sheet unless
1499 circumstances dictate otherwise. Any tariff sheet which has been filed and which has
1500 been subsequently withdrawn or rejected, before the expiration of statutory notice in
1501 connection therewith or by order, shall be considered as not having been issued in the
1502 first instance insofar as subsequent sheet numbering is concerned.

1503 (3) No sheet, once cancelled and removed from the tariff, shall be reactivated
1504 during the current life of the tariff with which it was associated unless it bears the
1505 appropriate revision thereof and contains the same basic material.
1506
1507

1508 **480-80-190 Numbering plan for sheets.** *[Moved to -1X3(5)]*
1509 ~~In the construction of a tariff it should be remembered that it will probably be necessary~~
1510 ~~in the future to file additional rates, rules and regulations, etc. To provide a proper place~~
1511 ~~for these subsequent filings in proper relation to schedules, etc., already filed,~~
1512 ~~reservation of sheet numbers should be considered.~~

1515 **480-80-200 Title page.** *[Moved to -1X2(1)]*

1516 ~~(1) The title page of each tariff shall appear as the first sheet of each tariff and shall~~
1517 ~~show the tariff number, the cancelled tariff number when applicable, the name of the~~
1518 ~~utility issuing the tariff, the service offered, the territory to which the tariff applies, the~~
1519 ~~issued date and the effective date of the sheet, the complete name and address of the~~
1520 ~~issuing utility and the signature or facsimile signature and title of the one authorized to~~
1521 ~~issue the tariff.~~

1522 ~~(2) Whenever a town, city or district is added to or deleted from a territory, then the~~
1523 ~~title page of the tariff applicable to that territory shall be revised in keeping therewith and~~
1524 ~~in accordance with the specifications for the revision of sheets as set forth in these~~
1525 ~~rules.~~

1528 **480-80-210 Index page.** *[Moved to -1X2(2)]*

1529 ~~(1) The index page of each tariff shall appear as the second sheet of each tariff and~~
1530 ~~shall show the tariff number, the name of the utility issuing the tariff, the issued date and~~
1531 ~~the effective date of the sheet, the signature or facsimile signature and title of the one~~
1532 ~~authorized to issue the tariff and shall contain a complete and accurate list of the~~
1533 ~~contents of the tariff by schedule number, sheet title and sheet number.~~

1534 ~~(2) Whenever a new tariff sheet is added to a tariff and that sheet is not listed in~~
1535 ~~the index page of the tariff at that time then the index page of the tariff shall be revised~~
1536 ~~in accordance with these rules.~~

1539 **480-80-220 Rules and regulations page.** *[Moved to -1X2(4)]*

1540 ~~(1) Each utility filing a tariff or tariffs with the commission shall include, as a part of that~~
1541 ~~tariff, a complete set of rules and regulations governing service under that tariff. These~~
1542 ~~rules and regulations shall cover at least the following when applicable:~~

- 1543 ~~(a) Application for service~~
- 1544 ~~(b) Definition of service~~
- 1545 ~~(c) Reconnection charge~~
- 1546 ~~(d) Service connection~~
- 1547 ~~(e) Installation of meters~~
- 1548 ~~(f) Distribution main extension and line extension (except where filed as a rate~~
- 1549 ~~schedule)~~

1550 ~~(g) Responsibility for, and maintenance of, service~~
1551 ~~(h) Access to premises~~
1552 ~~(i) Interruptions to service~~
1553 ~~(j) Bills~~
1554 ~~(k) Deposits~~
1555 ~~(l) Delinquent accounts~~
1556 ~~(m) Discontinuance of service~~
1557 ~~(n) As to each service to which banded rates are applicable, the manner by~~
1558 ~~which the utility will give notice to its customers of changes within the limits of the band.~~
1559 ~~(2) Such additional rules and regulations as are necessary shall also be filed.~~
1560 ~~Rules and regulations shall be published on consecutively numbered standard tariff~~
1561 ~~sheets in accordance with these rules and revisions thereof shall be as outlined in these~~
1562 ~~rules.~~
1563

1564 **480-80-230 Rate schedule page. [Moved to -1X2(5)]**

1565 ~~(1) Each schedule of rates shall contain the following, when applicable:~~
1566 ~~(a) Schedule number and classification of service (name of locality and class of~~
1567 ~~service. If rate is optional, so state.)~~
1568 ~~(b) Kind of service (whether A.C. or D.C. Whether single phase or polyphase.~~
1569 ~~Voltage frequency, etc.)~~
1570 ~~(c) Availability~~
1571 ~~(d) Rate~~
1572 ~~(e) Minimum charge~~
1573 ~~(f) Discount~~
1574 ~~(g) All other factors entering into the computation of the bills under the schedule.~~
1575 ~~(2) For telephone and telegraph companies the following information shall be~~
1576 ~~given, when applicable:~~
1577 ~~(a) Exchange rate schedules to include:~~
1578 ~~(i) Primary rate schedules~~
1579 ~~(ii) Private branch exchange rate schedules~~
1580 ~~(iii) Miscellaneous rate schedules~~
1581 ~~(iv) Base rate area maps~~
1582 ~~(v) Exchange area maps~~
1583 ~~(b) Inter-exchange service rate schedules to include:~~
1584 ~~(i) Basic rate schedules~~
1585 ~~(ii) Supplementary rate schedules~~
1586 ~~(iii) List of toll points~~
1587 ~~(c) Telegraph rate schedules:~~
1588 ~~(i) Basic rate schedules~~
1589 ~~(ii) Supplementary rate schedules~~
1590 ~~(iii) List of telegraph points~~
1591 ~~(3) The rate schedules shall be published as outlined in these rules and revision~~
1592 ~~thereof shall be in accordance with these rules and shall be accompanied by supporting~~
1593 ~~data and an explanation as to the effect thereof, when applicable.~~

1594
1595

1596 **480-80-260 Tariff of acquired utility.** [*Moved to -1X12*]

1597 ~~Every utility acquiring ownership or control of another utility or portion thereof and filing~~
1598 ~~a notice adopting the rates, rules and regulations, etc. of that utility, filed with the~~
1599 ~~commission, shall within sixty days of the filing of such adoption notice, file those rates,~~
1600 ~~rules and regulations, etc. as a part of its own tariff or as a separate tariff in its own~~
1601 ~~name if it plans to continue to operate in accordance therewith. Every utility otherwise~~
1602 ~~operating under an adopted tariff shall endeavor, at least within one year of the filing of~~
1603 ~~such adoption notice, to file its rates, rules and regulations, etc. in its own name.~~

1604
1605

1606 **480-80-270 Reference to tariff.**

1607 ~~(1) The filing of tariffs with the commission does not imply that the provisions of same~~
1608 ~~are approved, unless the commission has prescribed the rates, rules and regulations or~~
1609 ~~practices in an order, and utilities must not in any way make such inference.~~

1610 ~~(2) Rates and rules and regulations prescribed by the commission in its orders~~
1611 ~~shall, in every instance, be observed by the utilities against which such orders are~~
1612 ~~entered. The utility shall duly publish, file and post the necessary tariff sheets which~~
1613 ~~shall show notation to that effect. Only those rates and rules and regulations so~~
1614 ~~prescribed will carry such notation.~~

1615
1616

1617 **480-80-280 Issuing agent.**

1618 ~~The utility shall provide the commission with a list of the officials or persons and their~~
1619 ~~titles who are authorized to issue and file tariffs in behalf of the utility and shall keep~~
1620 ~~such list current. Any utility which has not made such a list available to the commission~~
1621 ~~since June 1, 1959 will be required to do so before further tariff revisions will be~~
1622 ~~entertained from that utility.~~

1623
1624

Comments:

- 1625 1. *Removes the 1959 requirement.*
- 1626 2. *Authorizing signature substituted in 0X3 in lieu of maintaining list.*

1627
1628

1629 **480-80-290 Suspension of tariffs.**

1630 ~~(1) When the commission suspends a utility's tariff or part of a tariff, it will enter a~~
1631 ~~suspension order setting forth the tariff or the parts of the tariff suspended. In that~~
1632 ~~circumstance, the utility affected thereby shall cause a copy of said order to be~~
1633 ~~associated with the tariff revision on file at its listed business offices and its payment~~

1634 agencies and all posted notices relative thereto shall be altered to bear reference to the
1635 terms of the order.

1636 (2) When the commission vacates an order of suspension, it will issue an order
1637 stating the date on which the rates, rules and regulations, etc. are to become effective, if
1638 appropriate. In that circumstance, the utility affected thereby shall proceed as set forth
1639 in the preceding paragraph with respect to the filed tariff revision and posted notices
1640 and continue such filing and posting for at least thirty days from the date of filing and
1641 posting in those cases where the order provides for changes other than those sought.

1642 (3) The tariff sheets affected by the vacation of an order of suspension will bear
1643 reference to said order.

1644

1645 **Comments:**

1646 1. Repeal due to new consumer rules in individual chapter rules. Eliminates posting
1647 requirement.

1648 2. Statute provides authority to suspend tariffs. Team believes there is no need for a
1649 rule.

1650

1651

1652 **480-80-310 Exceptions.**

1653 The commission may approve other methods of filing tariffs when the nature of a utility's
1654 operations fully warrant such permission being granted.

1655

1656 **Comments:**

1657 1. Rule is not needed because "Exemptions" rule allows for other methods of filing.

1658

1659

1660 **480-80-326 Contract for service.** [Moved from 480-90-061 and 480-100-061 in
1661 Docket U-991301, effective 5/5/01.]

1662 Whenever the classification of service under which the customer or applicant is to be
1663 served requires that such service shall be taken for a specified minimum period a
1664 contract may be executed. **[Moved to -3X1]** A sample copy of each typical contract
1665 form currently used by the utility shall be submitted to the commission.

1666

1667

1668 **480-80-340 Forms, contracts, and application samples.**

1669 Samples of all forms on which bills are rendered, all forms on which items concerning
1670 billing are listed to be conveyed to the customer, all application blanks, and all contract
1671 forms shall be made available to the commission and shall be kept current.

1672

1673

1674 **480-80-350 Refiling tariffs.**

1675 ~~A utility may be required to completely refile its tariff when the commission deems a~~
1676 ~~refiling of the tariff necessary.~~

1677

1678 **480-80-360 Standard tariff forms.**

1679 ~~The commission will, upon request, furnish, at a nominal charge of two cents per sheet,~~
1680 ~~standard title sheet forms or general forms.~~

1681

1682 **Comments:**

1683 *1. The commission has tariff templates available in some industries and not in other*
1684 *industries based on the needs of the industries.*

1685 *2. The price for copies is outdated based on practice and procedures rules in*
1686 *chapter 480-09.*

1687

1688

1689 **480-80-370 Symbols. [Moved to -1X3(6)]**

1690 ~~Symbols shall be used to indicate the purpose and effect of all tariff material submitted~~
1691 ~~to the commission.~~

1692 ~~These symbols shall appear on the right hand side of the text to which they apply~~
1693 ~~and within the lined margin thereof.~~

1694 ~~The following list of symbols is to be used by all utilities:~~

1695

1696 ~~C - to signify changed condition or regulation~~

1697 ~~D - to signify discontinued rate, regulation or condition~~

1698 ~~I - to signify increase~~

1699 ~~K - to signify that material has been transferred to another sheet or place in the~~

1700 ~~tariff~~

1701 ~~M - to signify that material has been transferred from another sheet or place in~~

1702 ~~the tariff~~

1703 ~~N - to signify new rate, regulation, condition or sheet~~

1704 ~~O - to signify no change*~~

1705 ~~R - to signify reduction~~

1706 ~~T - to signify a change in text for clarification~~

1707

1708 ~~* _____ The use of the symbol "O" shall be discretionary unless its use in the interest of clarity is evident or~~
1709 ~~specifically requested by the commission.~~

1710

1711

1712 **480-80-380 Availability of rules.**

1713 ~~A copy of these rules shall be available for public inspection at each listed business~~
1714 ~~office of all utilities concerned.~~

1715

1716 ~~Preproposal Statement of Intent served December 28, 1994, Docket No. UT-941325~~

1717

1718 **Comments:**

1719 1. *Staff believes companies no longer need to be required to provide this chapter of*
1720 *rules to customers. Instead, the rights and responsibility customer brochure should*
1721 *refer the customer to the Commission website or public request desk. This chapter*
1722 *of rules is directed towards tariff processes that the company must follow rather than*
1723 *the rights of the consumer. NOTE: Public notice has been moved to the individual*
1724 *industry chapters.*

1725

1726 *Preproposal Statement of Intent served December 28, 1994, Docket No. UT-941325*

1727

1728 ~~**480-80-390**~~ **Mandatory cost changes for telecommunications companies.** *[Moved*
1729 *to 480-120-544 in Docket U-991301, effective 5/5/01.]*