

Agenda Date: August 27, 2003

Item Number: C1

**Docket:**                   **A-031232**  
Review of Commission's minimum regulatory fees for class 1 industries, transportation industries (except motor freight carriers) auto transportation companies, and commercial ferries

**Staff:**                   Barbara Weigel, Rulemaking Lead  
Karen Caillé, Administrative Law Judge  
Paul Curl, Regulatory Services  
Mike Young, Financial and Budget Services

**Recommendation:**

Direct the Secretary to file a Preproposal Statement of Inquiry (CR-101) in Docket A-031232 to initiate review of the following Commission rules relating to regulatory fees for class 1 industries (utilities) and transportation industries (except motor freight carriers).

**Background:**

The 2003 Legislature passed House Bill 1356, which allows the Commission to update regulatory fees. The legislation deletes language that set statutory minimum fees for some industries. Instead, language was added which allows the Commission to set by rule minimum fees that do not exceed the cost of collecting the fees, or to waive minimum fees entirely. A copy of the bill is attached to the memo as Attachment A.

**Discussion:**

Existing minimum fees of \$1.00 or \$5.00 are insufficient to cover the cost of collecting and tracking the annual regulatory fees. Companies indicate that generating payments for these low minimums is also not cost effective for them. This rulemaking would allow the Commission to develop rules that would increase the minimum fee, not to exceed the estimated cost of collecting the fee, and to consider waiving collection of the minimum fee. The following rules are among those that may be affected:

- WAC 480-120-304(1)(a), Reporting requirements for companies not classified as competitive,
- WAC 480-120-303(1), Reporting requirements for competitively classified companies,
- WAC 480-100-208(1)(a), Electric utilities financial reporting requirements,
- WAC 480-90-208(1)(a), Gas utilities financial reporting requirements,
- WAC 480-110-275(3), Water companies accounting and reporting requirements, and regulatory fees,
- WAC 480-51-100(2), Commercial ferry annual reports – regulatory fees, and

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- WAC 480-70-076(1), Solid waste regulatory fees.
- WAC 480-30-110(1), Auto transportation companies fees and gross operating revenue.

**Conclusion:**

Staff recommends that the Commission direct the Secretary to file a Preproposal Statement of Inquiry (CR-101) in Docket A-031232 to initiate review of rules relating to regulatory fees for class 1 industries (utilities) and transportation industries (except motor freight carriers).

Attachment: House Bill 1356