



STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION
1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250
(360) 664-1160 • www.utc.wa.gov

August 22, 2013

NOTICE OF OPPORTUNITY TO FILE WRITTEN COMMENTS
(By Monday, September 23, 2013)

Re: Rulemaking Inquiry to Consider the Need to Evaluate and Clarify Jurisdiction of Water Companies, WAC 480-110-255, Jurisdiction, and related rules
Docket UW-131386.

TO ALL INTERESTED PERSONS:

On August 21, 2013, the Washington Utilities and Transportation Commission (Commission) filed with the Code Reviser a Preproposal Statement of Inquiry (CR-101) to clarify jurisdiction over water companies. The Commission filed the CR-101 under Docket UW-131386.

During a recent classification proceeding, Commission staff (staff) became aware that part of the Commission's rule on jurisdiction over water companies, WAC 480-110-255(2)(e) and (f), may be read to exempt from Commission regulation certain entities that are not exempt. To avoid this problem, staff proposes that the Commission consider repealing WAC 480-110-255(2)(e) and (f), relating to homeowner associations, cooperatives, mutual corporations and similar entities. Staff proposes the Commission consider addressing the jurisdictional status of such entities, preferably in a policy statement, or in the rule. Also, staff proposes to define the terms "for hire" and "to the public" in WAC 480-110-245, Glossary, in addition to other minor changes in WAC 480-110-255, Jurisdiction: (1)(b), 2(a).

Staff has developed discussion draft rules to facilitate development of these rule changes.

The CR-101, as filed with the Code Reviser, and the discussion draft rules are available for inspection on the Commission's website at www.utc.wa.gov/131386. If you are unable to access the Commission's web page and would like a copy of the CR-101 and/or draft rules mailed to you, please contact the Records Center at (360) 664-1234.

WRITTEN COMMENTS

Written comments on the CR-101 inquiry to review the jurisdiction of water companies, as well as the proposed discussion draft rules must be filed with the Commission no later than **5:00 p.m., Monday, September 23, 2013**. The Commission requests that comments be provided in electronic format to enhance public access, for ease of providing comments, to reduce the need for paper copies, and to facilitate quotations from the comments. You may submit comments via the Commission's Web portal at www.utc.wa.gov/e-filing or by electronic mail to the Commission's Records Center at records@utc.wa.gov. Please include:

- The docket number of this proceeding (UW-131386).
- The commenting party's name.
- The title and date of the comment or comments.

An alternative method for submitting comments is by mailing or delivering an electronic copy to the Commission's Records Center on a CD or flash drive, in .pdf Adobe Acrobat format or in Word 2010 or later format. Include all of the information requested above. The Commission will post on its web site all comments that are provided in electronic format. The web site is located at <http://www.utc.wa.gov/131386>.

If you are unable to file your comments electronically or to submit them on a CD or flash drive, the Commission will accept a paper document. If you have questions regarding this rulemaking, you may contact staff lead, Penny Ingram, at (360) 664-1242, or by email at pingram@utc.wa.gov.

Information about the schedule and other aspects of the rulemaking, including comments, will be posted on the Commission's website as it becomes available. If you wish to receive further information on this rulemaking you may:

- (1) Call the Commission's Records Center at (360) 664-1139
- (2) Email the Commission at records@utc.wa.gov
- (3) Mail written comments to the address below

When contacting the Commission, please refer to Docket UW-131386 to ensure that you are placed on the appropriate service list. The Commission's mailing address is:

Steven V. King,
Executive Director and Secretary
Washington Utilities and Transportation Commission
1300 S. Evergreen Park Drive S.W.
P.O. Box 47250
Olympia, WA 98504-7250

NOTICE

If you do not want to comment now, but do want to receive future information about this rulemaking, please notify the Executive Director and Secretary in one of the ways described above and ask to be included on the mailing list for Docket UW-131386. If you do not do this, you might not receive further information about this rulemaking.

STEVEN V. KING
Executive Director and Secretary