

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of  
Commission Staff for an Exemption  
From WAC 480-15-480(1)(b)

DOCKET TV-180183

COMMISSION STAFF'S  
PETITION FOR EXEMPTION  
FROM WAC 480-15-480(1)(b)

**I. RELIEF REQUESTED**

1           The Staff of the Washington Utilities and Transportation Commission (Commission) submits this Petition for Exemption From WAC 480-15-480(1)(b), pursuant to WAC 480-07-110. WAC 480-15-480(1)(b) requires the Commission to mail annual report forms and instructions to each household goods permit holder, pursuant to WAC 480-07-110. Commission Staff seeks an exemption from WAC 480-15-480(1)(b) to allow the Commission to email each household goods permit holder an electronic link to the annual report form located on the Commission's website.

**II. BACKGROUND**

2           Household goods carriers must file annual reports with the Commission each year by May 1st. WAC 480-15-480(4). Each spring, in advance of the filing deadline, the Commission mails out annual report forms to every household goods permit holder. Mailing paper forms is a requirement of WAC 480-15-480(1)(b), which states: "The commission will mail annual report forms and instructions to each household goods permit holder at its address of record."

3           Last year, the Commission adopted procedural rules that generally require *formal filings* to be made electronically.<sup>1</sup> WAC 480-07-140(1)(b). Under this provision, formal filings include written submissions that are required by statute or commission rule. A statute, RCW 81.04.080, and a Commission rule, WAC 480-15-480, require household goods carriers to file annual reports with the Commission. Another rule, WAC 480-07-150, requires each regulated company to provide the Commission with current contact information including an email address.

4           Annual report forms and instructions for the reporting year for all industries, including household good carriage, are available on the Commission’s website as of March 1st.<sup>2</sup> These forms can be completed electronically and filed electronically, and they can be printed out.<sup>3</sup> The Commission currently emails an annual report form link to regulated companies in the other industries that it regulates.

5           A copy of this petition will be served electronically on each household goods permit holder that has provided an email address to the Commission in accordance with WAC 480-07-150(4)(a).

### III. DISCUSSION

6           The Commission may grant an exemption from one of its rules pursuant to WAC 480-07-110(2)(c):

The commission uses the public interest standard to determine whether to grant an exemption from, or modification to, a commission rule. Factors the commission may

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<sup>1</sup> *In the Matter of Amending/Adopting/Repealing WAC 480-07 Relating to the Commission’s procedural rules, governing the conduct of business before the Commission, including rules governing formal proceedings*, Docket A-130355, General Order R-588 (Feb. 28, 2017) (rules effective March 31, 2017).

<sup>2</sup> See FAQ’s on the Commission’s website, available at <https://www.utc.wa.gov/regulatedIndustries/utilities/Documents/Annual%20Report%20FAQ.pdf> (accessed Feb. 26, 2018).

<sup>3</sup> See, e.g., Transportation Annual Report Forms page on the Commission’s website, available at <https://www.utc.wa.gov/regulatedIndustries/transportation/Pages/TransportationAnnualReports.aspx> (accessed Feb. 26, 2018).

consider in making this determination include whether the rule imposes an undue hardship on the requesting person of a degree or a kind different from hardships imposed on other similarly situated persons, and whether the effect of applying the rule to the requesting person would be contrary to the underlying purposes of the rule and the public interest.

7           An exemption would be in the public interest because it would not work a hardship on household goods carriers and because it would support the policies of sustainability and efficiency that are incorporated into the Commission's new procedural rules. Most businesses these days have access to the Internet and use a business email address, and every household goods permit holder must provide the Commission with an email address for service under WAC 480-07-140. Because of pervasive use of the Internet and of email, electronic provision of the form will well serve the purpose of the rule, which is to distribute annual report forms to each household goods carrier. Moreover, providing access to the household goods annual report form via email is unlikely to impose a hardship on any carrier and may well be more convenient.

8           With a link, a household goods carrier need only click on the link to access the form electronically. Making the whole annual report process exclusively electronic will allow the Commission, and potentially household goods carriers, to save paper. In addition, a fully electronic process may reduce the time it takes for forms to reach carriers and for completed forms to reach the Commission. Finally, any household goods permit holder that desires a paper copy of the annual report form can print the form from the Commission's website.

9           The Commission has been *emailing* an annual report form link to regulated companies in other industries that do not have a rule requiring the Commission to mail forms. Allowing an exemption to WAC 480-15-480(1)(b) would enable the Commission to

use the same electronic annual report process for household goods permit holders that it uses for other industries.

10 Staff intends to schedule this petition for consideration at the first Open Meeting after 20 days from the date this petition is filed. This will enable household goods carriers to file a written response in this docket or to comment at the Open Meeting or both. To facilitate the response of household goods carriers to this petition, a copy is being served electronically on every household goods permit holder.

#### IV. CONCLUSION

11 Commission Staff requests that the Commission grant its petition to exempt the Commission from an outmoded rule that requires the Commission to mail a paper copy of the annual report form to each household goods permit holder. Providing access to the annual report form via an electronic link will save resources, support efficiency, and harmonize the annual report process for household goods carriers with other industries and with the Commission's electronic filing requirements.

Dated this 1st day of March 2018.

Respectfully submitted,

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