

PROPOSED RULE MAKING (RCW 34.05.320)

MAY 07 1990

CR-102 (7/1/89)

Agency: WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

- Original Notice
Supplemental Notice to WSR
Continuance of WSR

(a) Title of rule: (Describe Subject) Amending WAC 480-110-021,/-046, and -066 and adopting WAC 480-110-028 relating to water companies. The proposed sections are attached as Appendix A, Docket No. UW-900081. Written and/or oral submissions may also contain data, views, and arguments concerning the effect of the proposed sections on economic values, pursuant to chapter Purpose: 43.21H RCW.

Clarifies existing rules.

Other identifying information:

(b) Statutory authority for adoption: RCW 80.01.040

Statute being implemented: Sections of chapter 80.28 RCW relating to water companies

(c) Summary: Clarifies difference between an applicant for service and a customer; requires companies to file within 30 days a change in service area; establishes that fire flow and distribution extensions will either be tariffed or the contracts will be filed for Commission approval.

Reasons supporting proposal: Existing rule must be clarified because utilities are not keeping their maps current and there is misunderstanding on the requirement for companies to file with the Commission for approval contracts with applicants for service.

Table with 3 columns: Name of Agency Personnel Responsible For, Office Location, Telephone. Rows include Drafting (PAUL CURL, Secretary), Implementation, and Enforcement.

(e) Name of proponent (person or organization) WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION. Options: Private, Public, Governmental.

(f) Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters: There are no comments or recommendations being submitted inasmuch as the proposal is pursuant to legislative authorization as reflected in RCW 80.01.040.

(g) Is rule necessary because of: Federal Law? Federal Court Decision? State Court Decision? Yes/No options.

(h) HEARING LOCATION: Commission Hearing Room, Second Floor, Chandler Plaza Building, 1300 S.Evergreen Park Drive SW, Olympia, WA

DATE OF INTENDED ADOPTION: June 6, 1990

CODE REVISER USE ONLY:

CODE REVISER'S OFFICE STATE OF WASHINGTON FILED

MAY 02 1990

TIME: 2:11 PM WSR 90-10-078

Date: June 6, 1990 Time: 9:00 Submit written comments to: Paul Curl, Secretary, 1300 S.Evergreen Park Drive SW, Olympia, WA

By (date): May 28, 1990

NAME (TYPE OR PRINT)

PAUL CURL

SIGNATURE

Handwritten signature of Paul Curl

TITLE

Secretary

DATE

May 2, 1990

(COMPLETE REVERSE SIDE)

(j) Short explanation of rule, its purpose, and anticipated effects:

See summary

Does proposal change existing rules?

YES  NO

If yes, describe changes:

Proposal clarifies existing rules.

(k) Is small business economic impact statement required by chapter 19.85 RCW?  
(Use this space, if possible. Attach extra sheets if necessary.)

YES-  NO

AMENDATORY SECTION (Amending Order R-30, filed 7/15/71)

WAC 480-110-021 GLOSSARY. (1) Commission - the Washington utilities and transportation commission.

(2) Utility - any corporation, company, association, joint stock association, partnership or person, their lessees, trustees or receivers appointed by any court whatsoever, owning, controlling, operating or managing any water plant within the state of Washington for the purpose of furnishing water service to the public for hire and subject to the jurisdiction of the commission.

(3) Applicant - any person, partnership, firm, corporation, municipality, cooperative organization, governmental agency, etc., who has completed an application for a distribution extension, but has not requested water service.

(4) Customer - any person, partnership, firm, corporation, municipality, cooperative organization, governmental agency, etc., who or which is receiving service from a utility or has completed an application ((to-any-utility)) for water service and that application has been accepted by the utility.

((4)) (5) Meter tests

(a) Periodic test - a routine test made in the regular course of a utility's operation, and in accordance with WAC 480-110-161, frequency of periodic test.

(b) Complaint test - a test made as a result of a request by a customer, and in accordance with WAC 480-110-151, complaint meter test.

(c) Installation test - a test made prior to the installation of a meter. New meters when received by a utility may be tested by an acceptable sampling plan prior to initial installation.

(d) Special test - any test other than a periodic, complaint, or installation test.

(e) Sample test - a test made as a result of the inclusion of a meter in a random statistical sample.

In the application of these rules, those terms used in the public service laws of the state of Washington will have the meaning therein ascribed to them.

Terms not defined in these rules or in the applicable statutes are to be given that meaning usually accepted in the water industry.

AMENDATORY SECTION (Amending Order R-30, filed 7/15/71)

WAC 480-110-026 TARIFFS. Rate schedules and rules and regulations governing services of a utility shall be published in accordance with chapter 480-80 WAC utilities general - tariffs.

The effective tariff of each utility shall contain a description by notes and bounds or a detailed map (maps are preferred) of the commission service area which it is dedicated to serve by reason thereof. ((Said-description-or-map-shall-be-kept-current)) After a contract is approved by the commission for a service connection or a distribution extension outside of the commission service area, the description or map on file with the commission shall be amended within thirty days of the effective date of the contract.

All other service area changes, such as an acquisition of a new service area, shall be filed with the commission within thirty days to keep the service area description or maps current.

**NEW SECTION**

WAC 480-110-028 FIRE FLOW REQUIREMENTS. The provision of sufficient capacity and pressure to meet "fire flow requirements" or requests for fire flow shall be separately tariffed, or provided by contract submitted for commission approval.

**AMENDATORY SECTION** (Amending Order R-30, filed 7/15/71)

WAC 480-110-046 APPLICATION FOR SERVICE. Anyone desiring service may be required to make application in writing, on forms prescribed by the utility and in accordance with its filed tariff(s). An application shall be deemed to be a notice to the utility that the applicant desires service and is an expression of his willingness to conform to such rules and regulations as are in effect and on file with the commission. Such application shall state clearly the character of service for which applied. In the case of flat rate service the use to be made of such service shall be stated. An applicant shall be deemed a customer when the utility accepts his/her application for water service.

Should a prospective customer use service prior to making application therefor, the utility shall require said customer to pay for such service in accordance with the applicable rate schedule or schedules.

**AMENDATORY SECTION** (Amending Order R-30, filed 7/15/71)

WAC 480-110-066 DISTRIBUTION EXTENSIONS. Each utility shall file as a part of its tariff a distribution extension rule setting forth the conditions under which it will extend its facilities to make service available to an applicant.

All distribution extension agreements or contracts in excess of the allowances or charges contained in the company distribution extension rules shall be filed with the commission for approval. The documentation to be filed with the contract shall meet the criteria contained in WAC 480-80-335.

In determining the charge for a distribution extension, the utility must determine the most economical route consistent with the utility companies' approved plan and in compliance with sound engineering practice.

There will not be a direct charge or assessment for retrofitting or upgrading the system for applicants or customers within the commission service area unless the use of the property changes from that originally proposed when the system was designed or approved.