

Chapter 480-80

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

Docket No. U-991301

NW Natural edits to Stakeholder Clean Draft 2

**Non-Legislative Format
August 14, 2001**

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
9 the commission as to rates and services under the provisions of RCW 80.04.010,
10 chapter 80.28 RCW and chapter 80.36 RCW.

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

14 (3) Any person may request that the commission review any rule or interpretation
15 of any rule rendered by a utility or customer by posing an informal complaint under
16 WAC 480-09-150, Informal complaints, or by filing a formal complaint under WAC 480-
17 09-420, Pleadings and briefs--Application for authority--Protests.

18 (4) No deviation from these rules is permitted without written authorization by the
19 commission. Violations will be subject to penalties as provided by law.

20 (5) These rules shall not be construed as affecting the validity of any presently
21 effective tariff provisions or pending tariff revisions. Each utility must bring presently
22 effective tariffs into compliance with these rules within a reasonable period of time
23 following the effective date of the rules.

24 (6) If any provision of this chapter or its application to any person or circumstance
25 is held invalid, the remainder of the chapter or the application of the provision to other
26 persons or circumstances is not affected.

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28
29 **New Section**

30 **480-80-0X1 Exemptions from rules in chapter 480-80.**

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

34 (2) To request a rule exemption, a written request must be filed with the commission.
35 The request must identify the rule for which an exemption is sought, and must include a
36 statement that describes the exemption requested and the reasons supporting such
37 request.

38 (3) A docket number will be assigned to the request, if it does not arise in an
39 existing docket, and the request will be scheduled for consideration at a regularly
40 scheduled open meeting or, if appropriate under chapter 34.05 RCW, in an adjudication.
41 The Commission will notify the party requesting the exemption, and other affected and
42 interested parties, of the hearing or meeting date.

43 (4) The commission will enter their decision in an order pursuant to chapter 480-
44 09 WAC.

45 (5) Competitively classified telecommunications utilities previously granted
46 exemptions from chapter 480-80 WAC Utilities General – Tariffs are not exempt from
47 Part I. General Rules, WAC 480-80-2X1 through 480-80-2X5, WAC 480-80-3X4 and
48 WAC 480-80-3X5. Exemptions from the provisions of chapter 480-80 WAC include only
49 the provisions in effect at the time the exemption was granted.

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51

52 **Amend**

53 **480-80-020 Additional requirements.**

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

56 (2) The commission retains the authority to impose additional or different
57 requirements on any utility in appropriate circumstances, consistent with the
58 requirements of law.

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60

61 **Amend**

62 **480-80-030 Definitions.**

63 The definitions in this section apply throughout the chapter unless the context clearly
64 requires otherwise:

65 “**Banded rate**” means a rate that has a minimum and maximum rate.

66 “**Commission**” means the Washington utilities and transportation
67 commission.

68 “**Price list**” means a telecommunications company's standard offer to the
69 general public or to other telecommunications utilities of one or more intrastate
70 telecommunications services that the commission has determined to be subject to
71 effective competition.

72 “**RCW**” means the Revised Code of Washington.

73 “**Tariff**” is a document that sets forth terms and conditions of regulated service,
74 including rates, charges, tolls, rentals, rules, and equipment and facilities, and the
75 manner in which rates and charges are assessed for regulated services provided to
76 customers, and rules and conditions associated with offering service.

77 “**Telefacsimile**” means the transmittal of electronic signals over telephone
78 lines for conversion into written text.

79 “**Utility**” means every public service gas company, electrical company,
80 telecommunications company, water company, or irrigation plant that is subject to the
81 jurisdiction of the commission as to rates and service.

82 “**WAC**” means the Washington Administrative Code.

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87 **New Section**

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89 **480-80-XXX Delivery of Filings.**

90 (1) The commission will accept tariff, price list, or contract filings delivered in
91 person, by mail, by telefacsimile or by electronic means.

92 (2) Filings delivered to the commission records center by 5:00 p.m. Pacific time,
93 Monday through Friday, except holidays, will be stamped received on that business day.

94 (3) Filings received on a weekend or holiday will be stamped received on the first
95 business day following such weekend or holiday.

96 (4) Filings delivered by mail must be free from all charges for postage. Postage
97 due filings will be returned to the sender.

98 (5) Filings submitted by telefacsimile are acceptable if:

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

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

103 Filings submitted electronically are acceptable if:

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

106 (b) The filing is in accordance with commission procedures for electronic filings.

107 (7) The commission will confirm receipt of filings submitted by electronic means
108 by return e-mail to the sending party.

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110 **II. TARIFFS**

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112 **New Section**

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114 **480-80-1X2 Tariff requirements and content.**

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

118 (2) A utility that provides more than one regulated service must file a separate
119 tariff for each service type.

120 (b) Each tariff will have an official designation number, printed as WN U-number.
121 Subsequent tariff designations will be sequentially numbered in ascending order.

122 (3) The tariff must include:

123 (a) Title page containing the following information.

124 (i) Name of the utility issuing the tariff;

125 (ii) The types of services covered by the tariff;

126 (iii) An identification of the territory to which the tariff applies;

127 (iv) The complete name, address, phone number, unified business
128 identifier (UBI) number, and if available, the electronic mail address and web
129 page address of the issuing utility.

130 (b) Index or table of contents containing a complete and accurate list of the
131 contents of the tariff, including the respective tariff sheet numbers.

132 (c) A legend of symbols used by the utility on approved tariff sheets to identify
133 changes to the sheet, if applicable. The legend must show the symbol and must include
134 a statement as to its meaning. This section is not required if the utility does not publish
135 symbols on its approved tariff sheets.

136 (d) A Rules section that includes, at a minimum, the conditions governing the
137 following services, if applicable

138 (i) Application for service;
139 (ii) Definition of service;
140 (iii) Reconnection charge;
141 (iv) Service connection;
142 (v) Installation of meters;
143 (vi) Distribution main extension and line extension (unless specified in a
144 rate schedule);

145 (vii) Responsibility for, and maintenance of, distribution plant and service
146 lines;

147 (viii) Access to premises;
148 (ix) Interruptions to service;
149 (x) Bills;
150 (xi) Deposits;
151 (xii) Delinquent accounts;
152 (xiii) Discontinuance of service; and
153 (xiv) Notice to its customers of changes within the limits of a banded rate
154 (unless specified in the rate schedule).

155 (xv) Gas companies must also include the requirements of WAC 480-90-
156 233(2) Purchased gas adjustment (unless specified in a rate schedule); WAC 480-90-
157 330(1) Heating value of gas; and WAC 480-90-343 Statement of meter test procedures.

158 (xvi) Electric companies must also include the requirements of WAC 480-
159 100-343 Statement of meter test procedures.

160 (e) A rate schedules section that include the following, if applicable:

161 (i) Schedule number;
162 (ii) A title that accurately describes the service
163 (iii) A description of the service that includes customer qualification criteria
164 and any restrictions or conditions as to the availability of the service

165 (iv) The rates to be paid for the service;
166 (vii) Any special terms or conditions associated with the service or the
167 calculation of rates to be paid for the service.

168 (4) Telecommunications companies must also provide the following information,
169 when applicable, based upon the type of service offered:

170 (i) **Exchange service rate schedules** that include:

171 (A) Primary rate schedules;
172 (B) Private branch exchange rate schedules;
173 (C) Miscellaneous rate schedules; and
174 (D) Exchange area maps.

175 (ii) **Inter-exchange service rate schedules** that include:

176 (A) Basic rate schedules;
177 (B) Supplementary rate schedules; and

178 (C) List of toll points. **[From –230]**
179 (5) Nothing in this rule prohibits the utility from filing rules governing service in the
180 form of a rate schedule.

181
182 **New Section**

183 **480-80-1X3 Tariff Sheet format.**

184 (1) All tariff sheets must be printed on eight and one-half inch by eleven-
185 inch paper, with at least one-half inch margins on each side. A blank space at least two
186 inches wide and one and one-half inches high must be provided in the upper right hand
187 corner of the sheet for commission use. Tariff sheets filed electronically must meet the
188 requirements set forth in the applicable commission procedures.

189 (2) Each tariff sheet must specify:

- 190 (a) The designated tariff number;
- 191 (b) The tariff sheet revision number;
- 192 (c) The name of the utility issuing the tariff; and
- 193 (d) The effective date

194 (3) Each tariff sheet must be assigned a unique sheet number.

195 (a) The initial tariff sheet must be designated as the “original sheet.”

196 (b) All subsequent revisions must be in sequential order and indicate the
197 cancellation of the superseded sheet as follows:

198
199 On the first revision, designate the sheet as:
200 FIRST REVISION OF SHEET
201 CANCELLING
202 ORIGINAL SHEET

203
204 On the second revision, designate the sheet as:
205 SECOND REVISION OF SHEET
206 CANCELLING
207 FIRST REVISION OF SHEET

208
209 (c) Revision numbers assigned to sheets that were rejected or withdrawn
210 may be re-used with subsequent tariff changes.

211 (4) Sheet numbers assigned to tariff sheets that are canceled and removed from
212 the tariff may not be re-used during the life of the tariff unless it is specified that the
213 sheet is reserved for future use.

214 (5) Sheet numbers may be assigned to sheets intended for future use at the
215 option of the utility.

216
217
218 **New Section**

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

220 (1) A tariff filing must:

- 221 (a) Be in accordance with statutory notice requirements;
- 222 (b) Specify the requested effective date of the tariff sheets;

- 223
224 (d) Include an original and two copies of each revised tariff sheet; and
225 (e) Be accompanied by a transmittal letter in compliance with the provisions of
226 WAC 480-80-0X3.
227 (2) Tariff filings must comply with the requirements set forth in WAC 480-09,
228 where applicable.
229 (3) The tariff filing must include information sufficient to justify the requested tariff
230 sheet revisions.
231 (4) Each tariff sheet(s) must be coded with the tariff symbol that best reflects the
232 purpose and effect of the change. The symbols must be located in the right margin
233 directly next to the line containing the change.
234 (a) The following standard symbols must be used to identify the change:
235
236 **D** - discontinued rate, service, regulation or condition;
237 **N** - new rate, service, regulation, condition or sheet;
238 **I** - a rate increase;
239 **R** - a rate reduction;
240 **C** - changed condition or regulation;
241 **K** - that material has been transferred **to** another sheet in the tariff (A
242 footnote is required on the tariff sheet to identify the material's new
243 sheet number.);
244 **M** - that material has been transferred **from** another sheet in the tariff (A
245 footnote is required on the tariff sheet to identify the material's former
246 sheet number.);
247 **T** - a change in text for clarification;
248 **O** - no change (This symbol is discretionary unless specifically requested
249 by the commission.).
250
251 (b) Additional symbols may be used for other purposes when the utility has
252 identified the symbols in its tariff as provided for in WAC 480-80-1X2(3).
253 (5) The commission may require a utility to refile the tariff in its entirety should
254 circumstances warrant it.
255 (6) A utility may not give effect to revised tariff sheets until the commission has
256 approved the tariff filing by order or allows the tariff sheets to become effective by
257 operation of law.
258 (7) Tariff sheets that are re-filed by order of the commission must specify the
259 docket number.

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262 **New Section**

263 **480-80-0X3 Transmittal letter for Filings.**

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

- 266 (1) Identify all new, changed, or discontinued tariffs, price lists, and contracts.
267 (2) Include a statement as to the purpose for the filing;

- 268 (3) Specify the changes requested in clear and concise terms;
269 (4) Define any acronyms used;
270 (5) Reference the commonly-used name, the advice number, and the docket
271 number, if known;
272 (6) Identify what services are impacted. If the filing is for a rate change, specify
273 the dollar amount and percentage changes for each service or customer class impacted
274 by the change. If the filing encompasses more than one rate change, each change
275 should be described separately and in a statement of the combined net impacts;
276 (7) Include a statement certifying that the submitting party has authority to issue
277 tariff revisions on behalf of the utility.
278 (8) Carry the signature of the authorized person, except as may otherwise be
279 required by commission procedures for electronic filings.
280

281 **New Section**

282 **480-80-1X4 Substitute tariff filings.**

- 283 (1) A utility may file substitute tariff sheets within a pending tariff filing if:
284 (a) There is no material change to the terms and conditions of service contained
285 in the pending tariff sheet;
286 (b) The change does not increase the rates contained in the pending tariff sheet;
287 or
288 (c) The change is to make typographical corrections to the pending tariff sheet.
289 (2) Substitute tariff sheets must be accompanied by a transmittal letter as set
290 forth in 480-80-0X3. The substitute filing must include the notation "Do Not Redocket."
291 (3) The commission retains discretion to reject any substitute tariff sheets where
292 doing so is in the public interest.
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295 **Amend 480-80-045**

296 **480-80-1X5 Banded rate tariff filings.**

- 297 (1) **Telecommunication companies.** Telecommunications companies may file
298 banded rate tariffs. Banded rate tariff filings must, at a minimum, be accompanied with
299 the following:
300 (a) A statement detailing how the public interest will be better served by a
301 banded rate tariff rather than a tariff with fixed rates;
302 (b) A verifiable cost of service study supporting the contention that the minimum
303 rate in the banded rate tariff covers the cost of the service. Costs will be determined
304 under a long run incremental cost analysis, including the price charged to other
305 telecommunications carriers for any essential function used to provide the service, or
306 any other commission-approved cost method; and
307 (c) Information detailing the revenue impact of the banded rate tariff.
308 (2) **Electric and natural gas companies.** Electric and natural gas companies
309 may file banded rate tariffs for any nonresidential electric or natural gas service that is
310 subject to effective competition from energy suppliers not regulated by the commission.

311 When a utility files for a banded rate tariff, the filing must, at a minimum, be
312 accompanied with the following:
313 (a) A statement detailing how the public interest will be better served by a
314 banded rate tariff rather than a tariff with fixed rates;
315 (b) A verifiable cost of service study supporting the contention that the minimum
316 rate in the banded rate tariff covers all costs resulting from providing the service and
317 provides a contribution to fixed costs; and
318 (c) Information detailing the revenue impact of the banded rate tariff.
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Amend 480-80-070

322 **480-80-1X6 Tariff changes with statutory notice.**

323 (1) Tariff filings must be received by the commission not less than thirty days' in
324 advance of the requested effective date as required by RCW 80.28.060 and RCW
325 80.36.110. Telecommunications companies that meet the requirements of RCW
326 80.36.110(2) may file with ten days' notice to the commission.
327 (2) The statutory notice period begins on the date the commission receives the
328 tariff filing, in accordance with WAC 480-80-XXX.
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Amend 480-80-240

332 **480-80-1X7 Tariff changes with less than statutory notice.**

333 (1) The commission may allow tariff changes to become effective with less than
334 statutory notice (LSN) when the utility provides good cause. LSN treatment may be
335 requested by submitting an LSN form provided by the commission, or by submitting a
336 transmittal letter that includes the following information:
337 (a) Utility information:
338 (i) Name and address of utility;
339 (ii) Unified business identifier (UBI) number;
340 (iii) Telephone number, e-mail address, and facsimile number; and
341 (iv) Name of contact person for the filing.
342 (b) Tariff identification information:
343 (i) Number of the tariff being amended;
344 (ii) Title of the tariff item(s) being amended; and
345 (iii) Number of the tariff sheet being amended.
346 (c) Concise description of the changes being proposed;
347 (d) Reason(s) for requesting LSN handling;
348 (e) Effective date requested;
349 (f) A statement certifying that the submitting party has authority to issue tariff
350 revisions on behalf of the utility; and
351 (g) The signature of the authorized person, except as may otherwise be required
352 by commission procedures for electronic filings.
353 (2) The tariff sheets for which LSN treatment is requested must be filed with an
354 effective date that reflects the required statutory notice period.

355 (3) If the LSN request is granted, the commission will issue an order directing
356 that the tariff sheets to be revised to reflect the authorized LSN effective date.

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New Section

360 **480-80-1X8 Tariff changes that do not require statutory notice.**

- 361 (1) Tariff changes that do not require statutory notice must be filed with the
362 commission at least one day before the effective date.
363 (2) Tariff changes that do not require statutory notice include:
364 (a) Initial tariffs filed by a newly regulated utility;
365 (b) A tariff change that does not affect ratepayers; and
366 (c) A change in a banded rate when notice to customers has been or will be
367 given in accordance with tariff rules applicable to the service.

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New Section

371 **480-80-1X9 Failure to provide statutory notice.**

372 Except as provided under 480-80-1X7, a tariff issued without the required statutory
373 notice has the same status as if the tariff had not been issued.

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New Section

377 **480-80-1X10 Withdrawing a tariff filing.**

- 378 (1) A utility may withdraw a pending tariff filing by letter that includes the following
379 information:
380 (a) Name and address of utility;
381 (b) Docket number;
382 (c) Advice number, if applicable;
383 (d) The reasons for requesting the withdrawal;
384 (e) Name of contact person for the withdrawal; and
385 (f) A statement certifying that the submitting party has authority to issue tariff
386 revisions on behalf of the utility; and
387 (2) If the tariff filing being withdrawn was previously suspended by the
388 commission, the withdrawal will take effect only upon commission order.

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Amend 480-80-300

392 **480-80-1X11 Rejecting tariff changes.**

393 The commission will reject any tariff filing that is found to be out of compliance with
394 commission rules.

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397 **Amend 480-80-250**

398 **480-80-1X12 Tariff adoption notice.**

399 (1) A utility must file a tariff adoption notice with the commission when any of the
400 following changes affect an existing tariff:

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

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

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

408

409 (Name of Utility) adopts and makes its own in every respect all tariffs,
410 supplements and amendments filed with the Washington Utilities and
411 Transportation Commission by (Name of Previous Utility) prior to
412 (Date).

413

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

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

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

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

421 and

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

423

424

425 **Amend 480-80-320**

426 **480-80-1X13 Discontinuing a service or services.**

427 When discontinuing a service or services, a utility must file to cancel the applicable tariff
428 sheets in the same manner as required by WAC 480-80-1X1. Discontinuation filings
429 shall be handled in the same manner and in accordance with the provisions governing
430 all other tariff filings.

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432

433 **III. PRICE LISTS - Telecommunications**

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435

436 **IV. CONTRACTS**

437

438 **Amend 480-80-325** *Effective 5/5/01 480-120 027 was repealed and subsequently*
439 *adopted as 480-80-325. Includes part of –326.*

440 **480-80-3X1 Written Contracts for service.**

441 (1) Electric, gas, and water companies must provide the commission with
442 samples of service contracts currently in use.

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

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Amend 480-80-335

448 **480-80-3X3 Special contracts for electric, water, and natural gas companies.**

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

452 (a) State charges or conditions that do not conform to any existing tariff; or

453 (b) Provide for utility services not specifically addressed in the utility's existing
454 tariffs.

455 (2) Any significant modification of a previously executed contract will be treated
456 as a new contract for purposes of this section.

457 (3) Essential terms and conditions of all contracts filed pursuant to this section
458 are considered a part of the utility's filed tariffs and are subject to enforcement,
459 supervision, regulation, control, and public inspection as such. The provisions of this
460 chapter will apply except for those provisions governing the filing, notice, and form of
461 tariffs, including those stated in WAC 480-80-XXX through 480-80-XXX.

462 (4) Filing and effective dates. Unless suspended or rejected by the commission
463 contracts will become effective on the effective

464 date stated on the contract or thirty days after the filing date, whichever occurs later..

465 The commission may approve an earlier effective date, in which event the contract shall
466 not become effective on a date that precedes commission approval. A request for an
467 earlier effective date must include a complete explanation of why an earlier effective
468 date is appropriate.

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

470 (a) Include a complete copy of the proposed contract;

471 (b) Show that the contract meets the requirements of RCW 80.28.090 (prohibiting
472 unreasonable preference) and RCW 80.28.100 (prohibiting rate discrimination);

473 (c) Demonstrate, at a minimum, that the contract charges recover all costs
474 resulting from providing the service during its term, and, in addition, provide a
475 contribution to the utility's fixed costs;

476 (d) Summarize the basis of the charge(s) proposed in the contract and explain
477 the derivation of the proposed charge(s) including all cost computations involved; and

478 (e) Indicate the basis for using a contract rather than a filed tariff for the specific
479 service involved. If the basis for using a contract is the availability of an alternative
480 service provider, identify that provider.

481 (6) All contracts must be for a stated time period. The commission may approve
482 terms and conditions that prescribe the charge(s) to be applied during the time period, if
483 such charge(s) are found to be appropriate. Unless otherwise provided by the

484 commission, such approval will not be determinative with respect to the expenses and
485 revenues of the utility for subsequent ratemaking considerations.

486 (7) Filings under this section may be submitted with portions designated
487 "confidential" pursuant to WAC 480-09-015. However, any filing that designates the
488 essential terms and conditions of the contract as "confidential" shall be rejected by the
489 commission as not in compliance with the public inspection requirement of RCW
490 80.28.050. Essential terms and conditions are:

491 (a) Identity of the customer;

492 (b) Nature and characteristics of the service provided, including interruptible, firm,
493 or peak delivery;

494 (c) Duration of the contract, including any options to renew;

495 (d) Charge(s) for service, including minimum charge provisions;

496 (e) Geographic location where service will be provided; and

497 (f) Additional obligations specified in the contract, if any.

498