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STATE OF WASH.
UTIL. AND TRANSP.
COMMISSION

October 23, 2000

Ms. Carole J. Washburn, Secretary
Washington Utilities and Transportation Commission
P.O. Box 47250
Olympia, WA 98504-7250

Re: Docket No. UE-990473—Review of WAC 480-100

Dear Ms. Washburn:

This letter is to convey Puget Sound Energy's (PSE or the Company) comments and suggested revisions to the Commission Staff's third formal draft of the revised operations rules under WAC 480-100. PSE hopes these comments are helpful to Staff as it endeavors to make revisions to these rules to implement Governor Locke's goal for regulatory improvement in Executive Order 97-02 and to ensure the rules are otherwise in the public interest. The Company looks forward to continuing to work with the WUTC Staff and all other interested parties in this proceeding.

Structure of PSE's Comments

Attached to this letter, please find a copy of WUTC Staff's third formal draft that highlights PSE's recommended revisions in legislative format, along with explanations and comments. Please note the legislative format is in relation to Staff's third formal draft proposal, not the existing rules. Below, please find a description of the primary concerns that PSE views as outstanding issues, along with a brief description of each primary concern and a proposed solution. Please note that just because an issue is not listed in the primary concern list, below, does not necessarily mean PSE would support all of Staff's proposed revisions—please refer to the attached document.

PSE's Primary Concerns**Customer Notification Rule—Two Issues**

Substance of Staff's Proposal—PSE has been concerned throughout this rulemaking by Staff's proposal to significantly revise the Commission's rules regarding the method and timing of notifying customers of proposed tariff revisions. Staff's position appears to exceed the statutory requirements of the enabling statutes, unless utilities use direct mailing for notifying customers of tariff revisions. It has not been shown how Staff's proposal would best balance the public interest. Staff's proposal is not consistent with the existing policies or rules that energy utilities have been operating under.

Location of Customer Notice Rule—It is not clear why Staff is proposing to separate this rule from the tariff related rules in WAC 480-80. PSE suggests there are two primary reasons why the customer notification of proposed tariff changes rule should remain in WAC 480-80. First, Staff is proposing that all the other notification rules in 480-80 remain in that chapter. Compared to those other notification rules, a rule pertaining to notice of proposed tariff revisions clearly belongs in the chapter that describes tariffs. Disassociating the rules on tariffs and notice for changes to tariffs would not support the fourth of Staff's objectives stated in the Commission's October 9, 2000, notice of opportunity to provide comments in docket U-991301. Second, since it appears Staff endeavors to have generally consistent notification rules across industries, it is most appropriate to include that rule in a common chapter of the WAC. In addition to providing a more logical ordering of the rules, this would foster discussion of ways to improve noticing of proposed tariff revisions among all regulated industries and affected parties. The additional dialogue would provide an opportunity to create an optimal set of customer notice rules.

PSE's Proposal—Because the rule that pertains to notifying customers of tariff revisions belongs in WAC 480-80 with the other tariff and notice rules, please refer to the Company's October 23, 2000, comments in Docket U-991301 for PSE's proposed customer notification rule, which is incorporated herein by reference. Please note PSE's proposed rule language in docket U-991301 is consistent with the principles in PSE's last comments in this rulemaking.

Consumer Proprietary Information

PSE is concerned with this rule. First, the term “consumer proprietary” is not consistent with regulatory or statutory language addressing this issue. A more accurate way of describing this information would refer to confidential customer information and clarify information that may or may not be disclosed. Second, by including customers’ names and addresses as confidential information that may not be used, this rule would eliminate opportunities for utilities to use bill inserts to advise customers of non-regulated products and services that may be beneficial to customers. Staff’s language would also eliminate an opportunity to allocate common billing costs below the line for the benefit of all customers, even those that choose not to purchase any unregulated products or services. In the Commission’s recent Order in Avista’s general rate case, the Commission clearly did not accept Public Counsel’s recommendation to prevent utilities from using their bill packages in this manner, but did require a revenue requirement adjustment for this activity.

PSE’s Proposal—In the attached document, PSE proposes renaming the rule to be consistent with regulatory language that reflects underlying statutory authority. Additionally, PSE proposes to drop customers’ names, addresses, and telephone numbers from the list of confidential information that may be used by a utility, but precludes utilities from sharing that information with third parties.

Service Responsibilities-076

PSE includes this rule on its list of “primary concerns” because of its importance.. Basically, it appears Staff has incorporated language from the gas rule in the electric rule. PSE believes that differences between the industries justify the different language. Since Staff’s comments on this rule are that it has only been revised for clarity, PSE assumes Staff did not mean to change the intent of this rule.

PSE’s Proposal—Included in the attached document is PSE’s recommended language revision to Staff’s proposed rule that would make it consistent with the existing rule while retaining Staff’s clarifying language and formatting. PSE may be submitting a more comprehensive revision within the next few weeks for Staff and other parties’ consideration.

Prior Obligation

Staff’s proposed prior obligation rule would apply to non-residential customers. While PSE questions a policy that diminishes any customer’s responsibility to pay their utility bills. PSE assumes Staff’s failure to limit prior obligation to residential customers was an oversight.

PSE's Proposal—The section that addresses prior obligation should be clarified to focus on residential customers.

Conclusion

PSE would like to thank the Commission for the opportunity to file comments on Staff's Third Formal Draft rules. We look forward to continuing to work with Staff and all other interested parties in this process. If you have any questions, or if we can be of any additional assistance, please contact Phillip Popoff at (425) 462-3229.

Sincerely,

A handwritten signature in black ink, appearing to read 'K. Karzmar', followed by a horizontal line extending to the right.

Karl R. Karzmar
Manager, Revenue Requirements

Docket UE-990473 Electric Rulemaking WAC Chapter 480-100 Electric Companies 3rd Formal Draft

Index

I. General Rules

- 480-100-011 Application of rules
- 480-100-xx1 Exemptions from rules in Chapter 480-100
- 480-100-016 Additional requirements
- 480-100-xx2 Resolving disputes about the meaning of these rules
- 480-100-xx3 Severability
- 480-100-021 Definitions
- 480-100-026 Tariffs and special contracts
- 480-100-061 Written contracts for service
- 480-100-066 Distribution line extension tariff
- 480-100-999 Adoption by reference (New rule)

II. Consumer Rules

- 480-100-041 Information to consumers
- 480-100-046 Application for service
- 480-100-051 Residential service deposit requirements
- 480-100-xx4 Nonresidential service deposit requirements (New rule)
- 480-100-056 Refusal of service (combined with WAC 480-100-116 Responsibility for delinquent accounts)
- 480-100-071 Disconnection of service
- 480-100-xx5 Reconnecting service after disconnection
- 480-100-072 Payment arrangements
- 480-100-xx6 Winter low income payment program
- 480-100-076 Service responsibilities
- 480-100-xx7 Consumer proprietary information
- 480-100-081 Service entrance facilities
- 480-100-091 Access to premises; identification
- 480-100-096 Electric utility's responsibility for complaints and disputes
- 480-100-101 Billing requirements and payment date
- 480-100-171 Complaint meter test (combined with WAC 480-100-111 Refund for inaccurate metering and WAC 480-100-166 Dispute as to meter accuracy)
- 480-100-311 Payment locations
- 480-100-xx8 Electric utility customer notification requirements

III. Financial Records and Reporting Rules

- 480-100-031 Accounting system requirements
- 480-100-xx9 Financial reporting requirements

- 480-100-032 Expenditures for political activities
- 480-100-036 Securities, affiliated interest, and transfers of property
- 480-100-043 Promotional advertising
- 480-100-211 Retention of records and reports
- 480-100-251 Least cost planning

IV. Metering Rules

- 480-100-086 Meter location
- 480-100-121 Meter charges (Installation of meter set assembly)
- 480-100-126 Meter readings, multipliers, and test constants
- 480-100-131 Meter identification
- 480-100-136 Initial accuracy of electric meters
- 480-100-141 Accuracy requirements for electric meters
- 480-100-176 Statement of meter test procedures
- 480-100-181 Meter history records

V. Safety and Standards Rules

- 480-100-151 Instruments transformers
- 480-100-161 Portable indicating instruments
- 480-100-176 Statement of meter test procedures
- 480-100-186 Standard frequency
- 480-100-191 Standard voltage and permissible variation
- 480-100-201 Accuracy of test standards
- 480-100-206 Reports of accidents

I. General Rules

WAC 480-100-011 Application of rules

(1) The rules in this chapter apply to any electric utility that is subject to the jurisdiction of the commission under RCW 80.04.010 and Chapter 80.28 RCW. These rules also include various requirements of the utility's customers and applicants.

{Comments: PSE opposes this newly proposed provision because it does not fit in this chapter, which is devoted to utility operations rules. The Commission is currently reviewing WAC 480-80 Utilities General-Tariffs, which would be a more appropriate place to consider this rule. However, if this is the proper location for the rule, PSE believes it would be more reasonable for existing tariff rules to be grandfathered; i.e., tariff revisions should be consistent with these rules. To the extent that individual tariff rules have been given specific review and approval by the commission in the past, those provisions have been approved as fair, just, and reasonable based on evidence submitted during the proceedings that the tariff rules were presented. A rule that administratively overturns a number of previous Commission decisions without any

evidence being presented that the decisions were lacking in some manner may not stand up to a legal challenge. Additionally, Staff's late introduction of this rule has not permitted much time for the parties to consider the merits or implications of this rule. Again, this is another point that supports PSE's recommendation to move consideration of this rule to WAC 480-80.

(3) Cases of erroneous or doubtful interpretation of these rules by a utility or customer are subject to appeal to the commission by any interested and proper party affected.

(4) Upon proper showing of any utility, the commission may waive or modify as to that utility, the provisions of any rule herein except when such provisions are fixed by statute.

(5) No deviation of these rules will be permitted without written authorization by the commission. Violation will be subject to the penalty provisions of chapter 80.04 RCW.

Comments:

(1) Revised based on water and other rule revisions.

(2) Revised to reflect stakeholder comment observing these rules include various requirements of customers and applicants.

(3) Revised for common language with similar sections in other industries. {Comment: Please note that simply stating language was adopted in another industry does not provide parties to this proceeding with any explanation whatsoever as to why the various provisions are being proposed in this proceeding.}

WAC 480-100-xx1 Exemptions from rules in Chapter 480-100

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

(2) To request a rule exemption, a person must file with the commission a written request identifying the rule for which an exemption is sought, giving a full explanation of the reason for requesting the exemption.

{Comment: Sections 3 and especially the newly introduced 4 clearly address Commission procedures not utility operations. It seems reasonable to have some language in this chapter explaining the WUTC may waive rules, but the language in sections 3 and 4 are out of place. Language such as that proposed here should more appropriately be considered in WAC 480-09 Procedure—in fact, 5, below refers back to 480-09.}

(5) The commission will enter an order granting or denying the request, or setting it for hearing, pursuant to Chapter 480-09 WAC.

Comments:

(1) New rule adopted in other rulemakings.

WAC 480-100-016 Additional requirements

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

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

Comments:

(1) Rewritten for clarity and consistency with other rulemakings.

(2) The last sentence was added for procedural requirements.

WAC 480-100-xx2 Resolving disputes about the meaning of these rules

If the interpretation of any rule in this chapter is questioned by a utility, a customer, or an applicant, a request for clarification may be filed with the commission.

Comments:

(1) Extracted from WAC 480-100-011 and revised.

(2) Revised language to address stakeholder concerns that the original draft version was too limited and pejorative in tone.

WAC 480-100-xx3 Severability

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

Comments:

New rule

WAC 480-100-021 Definitions

(1) Applicant - any person, corporation, partnership, government agency, or other entity that applies for service with an electric utility or who reapplies for service at a new or existing location after service has been discontinued.

(2) Business day - Monday through Friday, 8:00 a.m. until 5:00 p.m., except for official state holidays.

(3) Commission - the Washington utilities and transportation commission.

(4) Customer - any person, corporation, partnership, government agency, or other entity that applies for, has been accepted, and is currently receiving service.

(5) Electric Utility (Utility) - any business entity (e.g., corporation, company, association, joint stock association, or partnership) or person, including a lessee, trustee, or court appointed receiver, that meets the following conditions:

- (a) Owns, controls, operates, or manages any electric plant for hire in Washington State; and
- (b) Is subject to the commission's jurisdiction.

Terms used in this chapter and defined in the public service laws of Washington State (*i.e.*, principally Title 80 RCW) have the same meaning here as in the statutes. Terms not defined in these rules or the applicable statutes have the meaning generally accepted in the electric industry, or their ordinary meaning if there is no meaning generally accepted in the electric industry.

Comments:

Rule rewritten for clarity and updating.

WAC 480-100-026 Tariffs and special contracts

An electric utility must publish its rate schedules and rules and regulations governing service, and file special contracts, in accordance with chapter 480-80 WAC Utilities General - Tariffs, Price Lists, and Contracts.

Comments:

Rule rewritten for clarity.

WAC 480-100-061 Written contracts for service

A written contract may be required whenever the classification of service under which a customer or an applicant is to be served requires that such service be taken for a specified minimum period, or otherwise as provided by tariff. The utility must submit to the commission a sample copy of each typical contract form currently in use.

Comments:

(1) Rewritten for clarity

(2) Revised to recognize stakeholders observations that a written contract may be required in circumstances other than in connection with specified minimum periods for service.

(3) This rule is likely to be moved to chapter 480-80 WAC. {Comment: PSE agrees this rule more appropriately belongs in 480-80 WAC}.

WAC 480-100-066 Distribution line extension tariff

Each electric utility must file, as a part of its tariff, a distribution line extension rule setting forth the conditions under which it will extend its facilities to make service available to an applicant.

Comments:

Rewritten for clarity.

WAC 480-100-999 Adoption by reference (New rule)

In this chapter, the commission adopts by reference all or portions of regulations and standards identified below. They are available for inspection at the commission branch of the Washington state library. The publications, effective date, references within this chapter, and availability of the resources are as follows:

- (1) Title 18 Code of Federal Regulations, cited as 18 CFR, is published by the United States Government Printing Office.
 - (a) The commission adopts the version in effect on April 1, 2000.
 - (b) This publication is referenced in WAC 480-100-031, Accounting system requirements and WAC 480-100-xx9, Financial reporting requirements;
 - (c) Copies of 18 CFR are available from the U.S. Government Printing Office in Pittsburgh, Pennsylvania.
- (2) The Regulations to Govern the Preservation of Records of Electric, Gas, and Water Companies is published by the National Association of Regulatory Utility Commissioners (NARUC).
 - (a) The commission adopts the version in effect in 1985.
 - (b) This publication is referenced in WAC 480-100-211, Retention and preservation of records and reports.
 - (c) The Regulations to Govern the Preservation of Records of Electric, Gas, and Water Companies is a copyrighted document. Copies are available from NARUC, in Washington, D. C.;
- (3) The National Electric Code is published by the National Fire Protection Association (NFPA).
 - (a) The commission adopts the version published in 1999.
 - (b) This publication is referenced in WAC 480-100-081, Service Entrance Facilities;
 - (c) The National Electric Code is a copyrighted document. Copies are available from the NFPA, in Quincy, Massachusetts.
- (4) The American National Standard for Electric Meters: Code for Electricity Metering, ANSIC-12.1 is published by the American National Standards Institute.
 - (a) The commission adopts the version published in 1995.
 - (b) This publication is referenced in WAC 480-100-126, Meter readings, multipliers, and test constants; WAC-480-100-141, Accuracy requirements for electric meters; and WAC 480-100-176, Statement of meter test procedures.

(c) The ANSIC-12.1 is a copyrighted document. Copies are available from Global Engineering Documents in Englewood, Colorado

Comments:

New rule.

II. Consumer Rules

WAC 480-100-041 Information to Consumers

- (1) An electric utility must make available at each of its listed business offices information regarding rates, rules, and regulations needed for its customers and applicants to obtain adequate and efficient service.
- (2) The utility must maintain a toll-free telephone number to available for its applicants and customers during business hours to receive information relating to services and rates, to accept and process orders for service, to explain charges on customer bills, to adjust charges made in error, and to generally offer the assistance of representatives of from the utility.
- (3) The utility must provide to each applicant relevant rate information and a brochure that explains the rights and responsibilities of a utility customer. The brochure must include, at a minimum, information about the utility's regular business hours, the utility's mailing address, the utility's toll-free number, the 24-hour emergency number(s), and an explanation of the utility's processes to establish credit, deposits, billing, delinquent accounts, disconnection of service initiated by the utility, cancellation of service by the customer, the dispute process, and the commission's informal complaint procedures to be followed if the customer remains dissatisfied with the utility's dispute process.
- (4) At least once each year, the utility must directly advise each of its customers how to obtain:
 - (a) A copy of the consumer brochure described in subsection 3 of this section;
 - (b) A copy of the customer's applicable rate information;
 - (c) A copy of the electric rules, chapter 480-100 WAC; and
 - (d) A copy of the utility's current rates and regulations.
- (5) The utility must provide an applicant, upon request, the high and low bills for the requested service premises during the prior calendar year, if available.
- (6) The utility must provide a customer, upon request, a detailed account of the customer's actual electric usage at the service premises for the previous 12-month period, if available.
- (7) The utility must provide the commission with electronic or paper copies of all pamphlets, brochures, and bill inserts of regulated service information at the same time the utility delivers of such material to its customers.

Comments:

- (1) Reformatted the information companies should provide to customers and applicants and how to obtain this information.*
- (2) Added that the companies must provide usage information to applicants and customers upon request.*
- (3) Added that the utility must provide commission with copies of pamphlets, brochures and bill inserts it provides to customers.*
- (4) Subsections 5 and 6 - Changed requirement for providing applicant's consumption information.*
- (5) Subsection 6 - Clarified commission requires utilities to provide information to consumers only on regulated services.*
- (6) Moved Subsection 3 from WAC 480-100-311 to Subsection 2 of this rule.*
- (7) Added "if available" in providing account information in Subsections 5 and 6.*
- (8) Added utility must provide electronic or paper copies at the same time it delivers this information to its customers.*

WAC 480-100-046 Application for service

- (1) When an applicant orders service from an electric utility, the applicant will be responsible to conform to the rules and regulations that are in effect and on file with the commission.
- (2) The utility may require the following information when an applicant applies for service:
 - (a) The applicant's name, address, and telephone number, and an alternative contact telephone number, if applicable, of the responsible party at the service premises;
 - (b) The date the service is requested to be effective;
 - (c) The type of service requested, such as residential or commercial service, and the type of equipment to be served at the service premises;
 - (d) Proof of identification. The utility must allow the applicant to choose from a list, provided by the utility, of at least five sources of identification. The list must include a current driver's license or other picture identification; and
 - (e) Any additional information the utility may reasonably require for billing, service, and determining deposits.
- (3) The utility must offer, if available, a service order tracking number so the customer can easily identify the service request in subsequent interactions with the utility.
- (4) The utility must provide the following service dates to the applicant:
 - (a) For service at a location where utility service facilities exist and will not have to be modified in any way to serve the applicant, the utility must provide a service date at the time of application. If the utility becomes aware that the service date cannot be met, it must notify the customer prior to the service date;
 - (b) For service at a location where utility service facilities do not exist or require modification, the utility will provide the following service dates:

- (i) Upon request by the applicant, prior to signing a service agreement, the utility must provide a range of dates by which service can be made available;
 - (ii) Upon signing a service agreement with the applicant, the utility must provide a date by which service will be made available. If the utility becomes aware that the service date cannot be met, it must notify the applicant on or prior to the service date.
- (5) A customer may not resell electricity unless specifically authorized in the utility's tariff.

Comments:

- (1) "Application" is not addressed in draft rule since companies do not always require applications. In most cases, the companies take orders by telephone.
- (2) Eliminated the sentence referring to flat rate service.
- (3) Moved the sentence referring to "customer using service prior to ordering" to WAC 480-100-071 (2)(e), Disconnection of service.
- (4) Added company must provide service date and if it cannot commit to that date it must advise the customer.
- (5) In Subsections (2)(d) and (e) language was changed to clarify types of identification and other kinds of information utilities can require a customer to provide at time of application.

WAC 480-100-051 Residential services deposit requirements

(1) Deposit criteria for residential customers currently receiving residential service{*Comment: This may help clarify.*} - An electric utility may collect a deposit from its own customers for residential service only if :

- (a) At any time during the prior twelve months, the utility has sent the customer three or more delinquency notices; or {*Comment: Omission of this "or" was probably an oversight*}
- (b) The utility has disconnected the customer's residential service for nonpayment; or
- (c) There is a prior customer living at the residence who owes a past due bill to the utility at that address; or
- (d) The customer has notified the utility of customer's declaration of bankruptcy, which requires the utility to close the customer's existing account and issue a new account without disconnecting service. {*Comment: PSE proposes this new language to address customers that have declared bankruptcy. In a bankruptcy, the customer's account is uncollectable but service is not disconnected and then reconnected. A new account is simply established. This means the customer does not go through the applicant stage, in which a customer deposit would be required by (2) below. The suggested language addresses this unintentional loophole.*}

(2) Deposit criteria for applicants requesting residential service - A utility may collect a deposit from an applicant for residential service only if:

- (a) The applicant is unable to demonstrate that the applicant had prior service with an energy utility during the most recent 12 months for at least six consecutive months during which service was rendered and was not disconnected for failure to pay, and no more than

one delinquency notice was served upon the customers. The utility must be able to quickly and easily check the reference. ;{Comments: First, the language proposed by Staff does not conform to the format revision in this rewrite. Second, it appears Staff is attempting to loosen the credit requirements as they pertain to payment history of applicants with other utilities. PSE again opposes this revision and requests Staff to: (1) acknowledge that Staff is proposing to loosen the credit standards for applicants as applied to payment history with other utilities, which is not addressed in Staff's very limited comment section; and (2) explain the reason that the Commission should loosen credit standards for applicants from standards that have been applied since at least 1987.}

(b) The applicant is not able to demonstrate continuous employment during the prior twelve consecutive months and is not currently employed or has a regular source of income {Comment: As written, Staff's revised language would mean that an applicant who had been employed for just one of the last 365 days would not have to pay a deposit, which is clearly unreasonable. Including the word "continuous" preserves the intent of the existing rule while allowing for customers to move between jobs or clients (in a consulting service) as long as the applicant has been employed for the full year.} ;

(c) The applicant does not own or is not purchasing the premises to be served;

(d) There is a prior customer living at the residence who owes a past due bill to the utility at that address; or

(e) The applicant has an unpaid, overdue balance owing to any electric or gas utility for residential service.

(3) Deposit amount - The utility may require a deposit not to exceed the amount of:

(a) For utilities billing monthly: two-twelfths of reasonably estimated annual billings {Comment: Staff's proposal does not simply "clarify" how deposits are calculated, the proposal fundamentally changes the existing rule. Executive Order 97-02 instructs that rules should be clear, but it is not reasonable to interpret this means utilities should not be afforded sufficient flexibility to address case-by-case deposit issues, such as those referenced in PSE's responses to Staff's Second Formal Draft. PSE's proposal is to utilize the existing language with addition of the word "reasonably" before estimated. While Staff has not even suggested that the existing language creates any concerns, including the qualifier that estimations have to be reasonable would provide Staff with some assurance (and enforcement authority) that utilities will only be able to apply deposit policies reasonably.}; or

(b) For utilities billing bi-monthly three-twelfths reasonably estimated annual billings. {Comment: Please refer to comment directly above.}

(4) Deposit payment arrangements - The utility must allow a residential applicant or customer the option of paying fifty percent of the deposit prior to service, and paying the remaining balance in equal amounts over the next two months, on the dates mutually agreed upon between the applicant or customer and the utility. The utility and applicant or customer may make other mutually acceptable deposit payment arrangements. {Comment: Since this section addresses residential service, PSE suggests including residential here would help clarify.}

(5) Alternative to deposit - The utility must allow any residential customer or applicant who indicates an inability to pay a deposit: *{Comment: Since this section addresses residential service, PSE suggests including residential here would help clarify.}*

(a) To prepay any service initiation fees and reasonably estimated regular service charges or budget billings at periods corresponding to the utility's regular billing periods for the length of time during which a deposit would ordinarily be required. The utility must then bill the applicant or customer in a normal fashion; or

(b) To furnish a satisfactory guarantor. A guarantor must be considered satisfactory if the guarantor has at least established credit with the utility as outlined in this section. A utility may, at its discretion, accept a guarantor that does not meet the requirements of this section. If the customer has been disconnected, the guarantor is responsible for the amount stated on the disconnection notice, not to exceed the amount of the deposit as defined in subsection (3) of this section unless the guarantor has agreed to guarantee an additional amount as specified in subsection (7) of this section; or

(c) To notify the utility of the inability to pay a deposit as provided in WAC 480-100-XX6, Winter low income payment program.

(6) Transfer of deposit - When a customer moves to a new address within the utility's service territory, the deposit, plus accrued interest and less any outstanding past-due balance owing for electric service, must be transferred or refunded. *{Comment: PSE suggests substituting "for electric service" here helps to clarify that it is the service for which the customer owes a balance rather than focusing on the old address. The first part of the sentence clearly indicates the customer is moving in the utilities territory, so PSE's suggestion seems clearer.}*

(7) Additional deposit - If a deposit or additional deposit amount is required after the service is established, the reasons must be specified to the customer in writing. Any request for a deposit or additional deposit amount must comply with the standards outlined in this section. If the original deposit was secured by a guarantor and the guarantor does not agree to be responsible for the additional deposit amount, the customer will be held responsible for paying the additional deposit.

(8) Deposit payment date - Any deposit or additional deposit amount required after service is established is due and payable not earlier than 5:00 p.m. of the third business day after notice, if the deposit requirement notice is mailed from within the states of Washington, Oregon, or Idaho, or the sixth business day if mailed from outside the states of Washington, Oregon, or Idaho. If the utility delivers the notice to the customer in person, the deposit or additional deposit amount is due and payable not earlier than 5:00 p.m. of the sixth business day from the date of delivery.

(9) Interest on deposits - Interest on deposits collected from applicants or customers must:

(a) Accrue at the rate calculated as a simple average of the effective interest rate for new issues of one-year treasury bills, computed from December 1 of each year through November 30 of the following year. The commission will advise the utility each year of the specific rate;

(b) Earn the calculated interest rate as determined in subsection (9)(a) during January 1 through December 31 of the subsequent year;

(c) Be computed from the date of the deposit to the date of the refund or when applied directly to the customer's account; and *{Comment: This language is proposed just to clarify that date is more appropriate than time in calculating interest, as the interest is not compounded hourly.}*

(d) Be compounded or paid annually.

(10) Refund of deposit - Deposits plus accrued interest must be applied to the customer's account or refunded at the customer's request when there has been satisfactory payment or upon termination of service.

(a) Satisfactory payment - Satisfactory payment is established when the customer has paid for service during twelve consecutive months in a prompt and satisfactory manner as evidenced by the following:

- (i) The utility has not initiated disconnection proceedings against the customer; and
- (ii) The utility has sent no more than two delinquency notices to the customer.

(b) Termination of service - Upon termination of service, the utility must return to the customer the deposit amount plus accrued interest, less any amounts due the utility by the customer.

(11) How deposits are refunded - Any deposit plus accrued interest must be made available to the customer no later than fifteen calendar days following completion of twelve months of satisfactory payment or the cancellation of service. Refunds must be:

- (a) Applied to the customer's account for service beginning in the thirteenth month; or
- (b) At the customer's request, paid in the form of a check either delivered by mail or given to the customer in person at the utility's local business office.

Comments:

(1) Reformatted subsections (1) (2) and

(2) Changed the requirement of delinquent notices

(3) Subsection (2)(b) - Eliminated the requirement for "full-time" consecutive employment.

(4) Clarified qualifications and responsibilities of the guarantor

Moved guarantor and winter low income program to alternative to deposit

(5) Clarified how deposits are calculated

(6) Eliminated the option of the customer providing credit cards as a means of establishing credit

(7) Subsection 11 (formerly 13) - Clarified language regarding how deposits are refunded.

(8) Moved non-residential applicant and customer deposit criteria to separate rule.

(9) Changed mailing date requirements to include Oregon and Idaho with Washington.

480-100-xx4 Nonresidential service deposit requirements (New rule)

(1) Deposit criteria for nonresidential customers - An applicant for nonresidential service may be required to demonstrate that it is a satisfactory credit risk by reasonable means appropriate under the circumstances.

- (2) Deposit amount -The electric utility may require a deposit not to exceed the amount of:
- (a) For utilities billing monthly, two-twelfths of the customer's reasonably estimated annual billings; or *{Comment: Consumption by residential service location is sufficiently non-homogenous that Staff's language in the residential rule section should be revised. Service to non-residential customers is far less homogenous than for residential customers. New commercial or industrial customers may have significantly different energy use requirements than former tenants. This information can be used to reasonably estimate annual bills upon which to base the deposit. Please note PSE proposes to include the word "reasonable," which would provide the WUTC Staff with authority to ensure utility's deposit calculations for business customers will be applied reasonably.}*
 - (b) For utilities billing bi-monthly three-twelfths of the customers reasonable estimated annual billing.*{Comment: Please refer to comment directly above.}*
- (3) Transfer of deposit - When a customer moves to a new address within the utility's service territory, the deposit, plus accrued interest and less any outstanding past-due balance owing from the old address, must be transferred or refunded.
- (4) Additional deposit - If a deposit or additional deposit amount is required after the service is established, the reasons must be specified to the customer in writing. Any request for a deposit or additional deposit amount must comply with the standards outlined in this section.
- (5) Deposit payment date - Any deposit or additional deposit amount required after service is established is due and payable not earlier than 5:00 p.m. of the third business day after notice, if the deposit requirement notice is mailed from within the states of Washington, Oregon, or Idaho, or the sixth business day if mailed from outside the states of Washington, Oregon, or Idaho. If the utility delivers the notice to the customer in person, the deposit or additional deposit amount is due and payable not earlier than 5:00 p.m. of the sixth business day from the date of delivery.
- (6) Interest on deposits - Interest on deposits collected from applicants or customers must:
- (a) Accrue at the rate calculated as a simple average of the effective interest rate for new issues of one-year treasury bills, computed from December 1 of each year through November 30 of the following year. The commission will advise the utility each year of the specific rate;
 - (b) Earn the calculated interest rate as determined in subsection (6)(a) during January 1 through December 31 of the subsequent year;
 - (c) Be computed from the time of deposit to the time of refund or when applied directly to the customer's account; and
 - (d) Be compounded or paid annually.
- (7) Refund of deposit - Deposits plus accrued interest must be applied to the customer's account or refunded at the customer's request when there has been satisfactory payment or upon termination of service.
- (a) Satisfactory payment - Satisfactory payment is established when the customer has paid for service during twelve consecutive months in a prompt and satisfactory manner as evidenced by the following:
 - (i) The utility has not initiated disconnection proceedings against the customer; and
 - (ii) The utility has sent no more than two delinquency notices to the customer.

(b) Termination of service - Upon termination of service, the utility must return to the customer the deposit amount plus accrued interest, less any amounts due the utility by the customer.

Comments:

Separated the nonresidential applicants and customer deposit requirements from existing rule.

WAC 480-100-056 Refusal of Service (Combined with WAC 480-100-116 Responsibility for Delinquent Accounts)

(1) An electric utility must refuse requests to provide service to a master meter in a building with permanent occupants when all of the following conditions exist:

- (a) The building or property has more than one dwelling unit;
- (b) The occupants control a significant part of the electricity used in the individual units; and
- (c) It is cost effective for the occupants to have the utility purchase and install individual meters considering the long-run benefits of measuring and billing each occupant's electric use separately.

(2) The utility may refuse to provide service if:

- (a) Providing service will cause an adverse affect on other customers or does not comply with government regulations or the electric industry accepted standards;
- (b) In the utility's judgement, there are hazardous conditions at the premises, or the applicant's or customer's wiring or electrical equipment is hazardous or of such nature that safe and satisfactory service cannot be provided;
- (c) The applicant or customer does not comply with the utility's request to provide protective devices to protect the utility's, the customer's, or other customers' properties from theft of damage *{Comment: PSE again suggests it is important to include in this provision that the utility may refuse service if the customer does not comply with requirements to provide protective devises that are needed to protect the customer's own property in addition to that of utilities and other customers.}*;
- (d) The utility is unable to obtain all necessary rights-of-way, easements, approvals, and permits;
- (e) It is not economically feasible to provide service; or
- (f)To The customer is known by the utility to have fraudulently obtained service as described in WAC 480-100-071, Disconnection of service;

(3) The utility may not refuse to provide service to a residential applicant or residential customer because there are outstanding amounts due from a prior customer at the same premises, unless the utility can determine, based on objective evidence, that a fraudulent act is being committed, such that the applicant or customer is acting on behalf of the prior customer with the intent to avoid payment. *{Comment: PSE assumes Staff only intended for this rule to apply to residential customers. Otherwise, business customers could avoid paying bills by simply making minor legal changes to the business' name.}*

(4) The utility may not refuse service to a residential applicant or residential customer who has three or less prior obligations in any one calendar year. A prior obligation is the dollar amount the utility has billed to the customer for which the utility has not received payment at the time the service has been disconnected. *{Comment: In all discussions regarding prior obligation issues, the focus is always on residential customers. PSE presumes Staff does not intend to apply prior obligation standards to non-residential customers. If prior obligation standards did apply to non-residential customers, Staff would be providing every business customer of an investor owned utility in the State of Washington a financial incentive not to pay their utility bills. Therefore, clarifying that prior obligation benefits should not extend beyond the residential class should be adopted.}*

{Comment: Paragraph four directly above is very clear on the minimum of three prior obligations, so this paragraph does not include any additional information and is therefore not needed.}

Comments:

(1) Combined with WAC 480-100-116 Responsibility for Delinquent Accounts.

(2) Combined subsections 2-7 under subsection 2.

(3) Subsection 5 - Added a minimum number of times prior obligation may be offered to applicants or customers.

WAC 480-100-071 Disconnection of Service

(1) Customer-directed - The utility may require customers to give at least three days notice prior to the date service is to be discontinued. The customer is not responsible for usage after the requested date for discontinuance of service, provided the customer gave proper notice. If the customer moves from the service address and fails to request that service be discontinued, the customer will be responsible to pay for service taken at that service address until the utility can either confirm that the customer has vacated the premises and can access the meter or that a new responsible party is taking service.

(2) Utility-directed without notice or without further notice - The utility may discontinue service without notice or without further notice when:

(a) After conducting a thorough investigation the utility determines that the customer has tampered with or stolen the utility's property, has used service through an illegal connection, or has fraudulently obtained service. The utility has the burden of proving that fraud occurred. For the purpose of this section a non-sufficient funds check or dishonored electronic payment alone will not be considered fraud.

(i) First offense - The utility may disconnect service without notice when it discovers theft, tampering, or fraud, unless the customer immediately pays all of the following:

(A) The tariffed rate for service that the utility estimates was used as a result of the theft, tampering, or fraud;

(B) All utility costs resulting from such theft, tampering, or fraud; and

(C) Any required deposit.

(ii) Second offense - The utility may disconnect service without notice when it discovers further theft, tampering, or fraud. The utility may refuse to reconnect service to a customer who has been twice disconnected for theft, tampering, or fraud, subject to appeal to the commission.

(b) After conducting a thorough investigation, the utility determines that the customer has vacated the premises;

(c) The utility identifies a hazardous condition in the customer's facilities or in the utility's facilities serving the customer;

(d) A customer pays a delinquent account with a check or electronic payment the bank or other financial institution has dishonored after the utility has issued appropriate notice as described in subsection (6) of this section;

(e) The customer has not kept any agreed upon payment arrangement for payment of a delinquent balance after the utility has issued appropriate notice as described in subsection (6) of this section; or

(f) The utility has determined a customer has used service prior to applying for service. The utility must charge the customer for service used in accordance with the utility's filed tariff.

This section should not be interpreted as relieving the customer or other person of civil or criminal responsibility.

(3) Utility-directed with notice - After properly notifying the customer, as explained in subsection (6) of this section, the utility may discontinue service for any one of the following conditions:

(a) For delinquent regulated charges as billed under WAC 480-100-101, Billing requirements and payment dates, including any required deposit, except that the utility cannot disconnect service when the customer has met the requirements of subsection (5) of this section for medical emergencies, or has agreed to or maintains agreed upon payment arrangements with the utility, as described in WAC 480-100-xx6, Winter low-income payment program;

(b) For use of electric service for purposes or properties other than those specified in the customer's service application;

(c) Under flat rate service for non-metered load, for increased electric use without the utility's approval;

(d) For refusing to allow the utility's representatives access to the customer's premises as required in WAC 480-100-091, Access to premises;

(e) For violating rules, service agreements, or filed tariff(s); or

(f) For use of equipment that detrimentally affects the utility's service to its other customers.

(4) Electric service may not be disconnected for amounts that may be owed the utility for non-regulated service.

(5) Medical emergencies - When the utility has cause to disconnect or has disconnected a residential service, it must postpone disconnection of service or must reinstate service for a grace period of five business days after receiving either verbal or written notification of the existence of a medical emergency. The utility must reinstate service during the same business day if the

customer contacts the utility prior to the close of the business day and requests a same-day reconnection. Otherwise, the utility must restore service by 12:00 p.m. the next business day. When service is reinstated the utility will not require payment of a reconnection charge and/or deposit prior to reinstating service but will bill all such charges on the customer's next regular bill.

- (a) The utility may require that the customer, within five business days, submit written certification from a qualified medical professional stating that the disconnection of electric service would aggravate an existing medical condition of a resident of the household. "Qualified medical professional" means a licensed physician, nurse practitioner, or physician's assistant authorized to diagnose and treat the medical condition without supervision of a physician. Nothing in this section precludes a utility from accepting other forms of certification, but the maximum the utility can require is written certification. If the utility requires written certification, it may not require more than the following information:
- (i) Residence location;
 - (ii) An explanation of how the current medical condition will be aggravated by disconnection of service;
 - (iii) Name and relationship of patient to customer. *{Comment: This information is required in the existing rule. Please note that requiring the customer to provide this information will avoid potential unnecessary conflicts. If a customer and customer's spouse that claim medical emergency appear health in public, the utility may challenge the medical emergency status if there is no way to know the medical emergency applies to one of their sick, elderly parents that lives in their residence. Thus, Staff's rejection of the existing language could lead to creating unnecessary confrontations between utilities and customers with sick family members.}*
 - (iv) A statement of how long the condition is expected to last; and
 - (v) The title, signature, and telephone number of the person certifying the condition;
- (b) The medical certification is valid only for the length of time the health endangerment is certified to exist but no longer than sixty days, unless renewed;
- (c) A medical emergency does not excuse a customer from having to pay delinquent and ongoing charges. The utility may require the customer to do the following within a five-business-day grace period:
- (i) Pay a minimum of ten percent of the delinquent balance;
 - (ii) Enter into an agreement to pay the remaining delinquent balance within one hundred twenty days; and
 - (iii) Agree to pay subsequent bills when due.

Nothing in this section precludes the utility from agreeing to an alternate payment plan, but the utility may not require the customer to pay more than this subsection prescribes. The utility must send a notice to the customer confirming the payment arrangements within two business days of having reached the agreement;

- (d) If the customer fails to provide an acceptable medical certificate or ten percent of the delinquent balance within the five-business-day grace period, or if the customer fails to abide by the terms of the payment agreement, the utility may not disconnect service without

first mailing a written notice providing a disconnection date not earlier than 5:00 p.m. of the third business day after the date of mailing, if mailed from within the states of Washington, Oregon, or Idaho, or the sixth business day, if mailed from outside the states of Washington, Oregon, or Idaho, or by personally delivering a notice providing a disconnection date of not earlier than 5:00 p.m. of the second business day following the date of delivery;

(e) A customer may claim medical emergency and be entitled to the benefits described in this subsection only twice within any one hundred twenty day period.

(6) Disconnection notification requirements - The utility must notify customers before disconnecting their service, except as described in subsection (2) of this section. Notification consists of the following requirements:

(a) The utility must serve a written disconnection notice to the customer either by mail or by personal delivery to the customer's address with notice attached to the primary door. If the disconnection notice is for nonpayment during the winter months the utility must advise the customer of the payment plan described in WAC 480-100-072, Payment arrangements, and WAC 480-90-xx6, Winter low-income payment program. Each disconnection notice must include:

(i) A disconnection date that is not less than eight business days after the date of personal delivery or mailing, if mailed from inside the states of Washington, Oregon, or Idaho, or a disconnection date that is not less than eleven business days if mailed from outside the states of Washington, Oregon, or Idaho.

(ii) All relevant information about the disconnection action including the cause for disconnection, the amount owing, and how to avoid disconnection;

{Comment: PSE does not support giving customers the option of choosing which fuel to disconnect. Typical practice is to disconnect electric service because it is less costly for the utility and less expensive for the customer to have service reinstated and safer for the delinquent customer. PSE is very concerned that Staff's revision here will encourage customers that are delinquent on gas service to let gas service expire, then switch to electric space heating. This would have to adversely affect customers. First, since it costs more to heat with electricity, customers will wind up having to pay even more for heating than if gas service was reinstated. Second it may expose customers to risk of fire from cheaply constructed electric space heaters that are used for time periods beyond which they were intended. PSE understands Staff's concern in this area, but suggests that the current practice, while not a perfect state of the world, is the best for customers and society from a number of perspectives.}

(iv) All relevant information about any charges that may be assessed; and

(v) The utility's name, address, and toll-free telephone number by which a customer may contact the utility to discuss the pending disconnection of service;

(b) If the utility discovers the notice information in subsection (6)(a) of this section is inaccurate, the utility must issue another notice to the customer as described in subsection (6)(a) of this section ;

(c) If the utility has not disconnected service within ten business days of the disconnection date stated in subsection (6)(a)(i) of this section, the disconnection notice will be considered

void unless the customer and the utility have agreed to a payment arrangement. Upon a void notice the utility must provide a new disconnection notice to the customer as described in subsection (6)(a) of this section.

(d) In addition to the notice required by subsection (6)(a) of this section, a second notice must be provided by one of the three options listed below:

(i) Delivered notice - The utility may deliver a second notice to the service premises and attach it to the customer's primary door. The notice must state a scheduled disconnection date that is not earlier than 5:00 p.m. of the second business day after the date of delivery;

(ii) Mailed notice - The utility may mail a second notice which must include a scheduled disconnection date that is not earlier than 5:00 p.m. of the third business day after the date of mailing if mailed from within the states of Washington, Oregon, or Idaho, or the sixth business day if mailed from outside the states of Washington, Oregon, or Idaho, or

(iii) Telephone notice - The utility may attempt at least two times to contact the customer during regular business hours. A log or record of the calls must be kept for a minimum of ninety calendar days showing the telephone number called, the time of the call, and details of the results of each attempted call. If the utility is unable to reach the customer by telephone, a written notice must be mailed to the customer providing a disconnection date not earlier than 5:00 p.m. of the third business day after the date of mailing if mailed from within the states of Washington, Oregon, or Idaho, or the sixth business day if mailed from outside the states of Washington, Oregon, or Idaho, or personally delivering a notice providing a disconnection date of not earlier than 5:00 p.m. of the second business day following the date of delivery;

For utilities billing for electric and gas service, each type of notice listed above must provide the information contained in subsection (6) (a) (iii).

(e) If the utility discovers the notice information in subsection (6)(d)(i) and (6)(d)(ii) of this section is inaccurate, the utility must issue another notice to the customer as described in subsection (6)(a) of this section;

(f) If the utility provides a second notice within ten business days of the disconnection date stated in subsection (6)(a)(i) of this section, the disconnection date is extended an additional ten working days from the disconnection date of the second notice. If the utility does not disconnect service within the extended ten business day period, the notice will be considered void unless the customer and the utility have agreed upon a payment arrangement. Upon a void notice, the utility must provide an additional notice as stated in subsection (6)(d)(i) or (6)(d)(ii) of this section.

(g) If the utility provides a second notice after the ten business days of the disconnection date stated in subsection (6)(a)(i) of this section, the notice will be considered void unless the customer and the utility have agreed upon a payment arrangement. Upon a void notice, the utility must provide a new disconnection notice to the customer as described in subsection (6)(a) of this section;

(h) When the service address is different from the billing address, the utility must determine if the customer of record and the service user are the same party. If not, the utility must notice the service user as described in subsection (6) (a) of this section prior to disconnecting service;

(i) Except in case of danger to life or property, the utility may not disconnect service on Saturdays, Sundays, legal holidays, or on any other day on which the utility cannot reestablish service on the same or following day;

(j) A utility representative dispatched to disconnect service must accept payment of a delinquent account at the service address, but will not be required to give change for cash paid in excess of the amount due and owing. The utility must credit any over-payment to the customer's account. The utility may charge a fee for the disconnection visit to the service address if provided for in the utility's tariff;

(k) When service is provided through a master meter, or when the utility has reasonable grounds to believe service is to other than the customer of record, the utility must undertake reasonable efforts to inform the occupants of the service address of the impending disconnection. Upon request of one or more service users, where service is to other than the customer of record, the utility must allow five days past the original disconnection date to permit the service users to arrange for continued service;

(l) Medical facilities - When service is known to be provided to:

(i) A hospital, medical clinic, ambulatory surgery center, renal dialysis facility, chemical dependency residential treatment facility, or other medical care facility licensed or certified by the department of health, a notice of pending disconnection must be provided to the secretary of the department of health and to the customer. The department of health secretary or designee may request to delay the disconnection for five business days past the original disconnection date to allow the department to take the necessary steps to protect the interests of the patients residing at the facility; or

(ii) A nursing home, boarding home, adult family home, group care facility, intermediate care facility for the mentally retarded (ICF/MR), intensive tenant support residential property, chemical dependency residential treatment facility, crisis residential center for children or other group home or residential care facility licensed or certified by the department of social and health service, a notice of pending disconnection must be provided to the secretary of the department of social and health services and to the customer. The department of social and health services secretary or designee may request to delay the disconnection for five business days past the original disconnection date to allow the department to take the necessary steps to protect the interests of the patients residing at the facility;

(m) Any customer may designate a third party to receive a disconnection notice or notice of other matters affecting the customer's service. The utility will offer all customers the opportunity to make such a designation. If the utility believes that a customer is not able to understand the effect of the disconnection, the utility will consider a social agency to be the third party. In either case, the utility must delay service disconnection for five business days past the original disconnection date after issuing a disconnection notice to the third party.

The utility will determine which social agencies are appropriate and willing to receive the disconnection notice, the name and/or title of the person able to deal with the disconnection, and provide that information to the customer.

(7) For purposes of this section, the date of mailing a notice will not be considered the first day of the notice period.

(8) Payments at a payment agency - Payment of any past-due amounts to a designated payment agency of the utility constitutes payment when the customer informs the utility of the payment and the utility has verified the payment.

(9) Remedy and appeals - Service may not be disconnected while the customer is pursuing any remedy or appeal provided by these rules or while engaged in discussions with the utility's representatives or with the commission. Any amounts not in dispute must be paid when due and any conditions posing a danger to health, safety, or property must be corrected. The utility will inform the customer of these provisions when the customer is referred to a utility's supervisor or to the commission.

Comments:

(1) *The requirement that the bills be paid within a minimum of 15 days has been moved to WAC 480-100-101, Billing requirements and payment date.*

Customer disconnecting service:

(2) *Customers must provide the date service is to be disconnected.*

1 - Added language allowing the utility to require the customer to provide at least 3 days notice for service disconnection.

(3) *Customers are not responsible for service after the requested date for disconnection.*

(4) *If the customer moves without notifying the utility to disconnect service, the customer will be responsible to pay for service until the utility can either confirm the customer has vacated the premise or that a new responsible party has moved in.*

Utility-directed with notice -

(5) (3)(d) - *Deleted reference to disconnecting service due to willful waste of service.*

(6) (4) - *Added language that electric service may not be disconnected for any amount owing for any non-regulated service.*

Utility disconnecting service without notice:

(7) *Reformatted text addressing reasons when the utility can disconnect with and without notice to customers.*

a. Clarifies companies are not required to provide disconnect notice if, after a thorough investigation, they have determined the customer has tampered with or vacated the property. (2)(a) - Combined language addressing obtaining service fraudulently (2)(g) with tampered or stolen service (2)(a).

b. Allows companies to disconnect without notice if a person is using service prior to ordering service.

Utility disconnecting service without further notice:

(8) *Added "electronic payment" to (2)(d), when a customer pays with a check or electronic payment that has been dishonored by a financial institution.*

Medical Emergencies:

- (9) Moved the subsection for medical emergencies (subsection (2)(h) of existing rule) to follow reasons for disconnection.*
- (10) Requires companies to restore disconnected service during the same business day after being notified of medical emergency situation. 5-Clarifies when the utility is required to restore service.*
- (11) Lengthened time of medical certificate from 30 days to 60 days.*
- (12) Restricted customers who delay disconnection of service via for medical emergencies from no limited amount of times to two times within 120 days.*
- (13) If utility does not receive medical certificate or ten percent payment of delinquent balance within 5 business days, the utility can disconnect service upon mailing a 3-day notice or personally delivering a notice allowing one business day prior to disconnecting service.*
- (14) If the customer fails to abide by the payment agreement of the medical emergency, the utility can disconnect service upon mailing a 3-day notice or personally delivering a notice allowing one business day prior to disconnecting service.*
- (15) Former (5)(e)-Combined language with (5)(d).*

Notice procedures:

- (16) When the utility mails a notice of disconnect from outside the states of Washington, Oregon, or Idaho, it must add three business days to the notice due date.*
- (17) Reformatted the procedures for disconnection.*
- (18) Utilities are no longer required to mail notices; personal delivery is now another option with same due date as if mailed.*
- (19) Utility is allowed the option of mailing an additional notice or personally delivering a notice if it cannot reach the customer by telephone prior to disconnecting service.*
- (20) Updated information as to when and how the utilities should provide notice to medical facilities and relevant state offices.*
- (21) (6)(a)(iii) added customer option of choosing which service is to be disconnected.*

WAC 480-100 xx5 Reconnecting service after disconnection

(1) An electric utility must make every reasonable effort to restore a disconnected service within twenty-four hours (or other timeline as mutually agreeable with the utility and customer) after the customer has paid, or at the time the utility has agreed to bill, any reconnection charge, and: {Comment: PSE suggests this language is necessary to provide customers with flexibility to avoid after-hours reconnect charges.}

- (a) The causes for disconnection not related to a delinquent account are removed and the customer pays any delinquent regulated charges, plus any required deposit; or
- (b) The customer has entered into an agreed upon payment arrangement for a delinquent account and pays any required deposit as defined in WAC 480-100-051, Residential service deposit requirements or WAC 480-100-xx4, Nonresidential service deposit requirements; or
- (c) The delinquent account is a prior obligation account as defined in WAC 480-100-056,

Refusal of service, and the customer has paid any required deposit as defined in WAC 480-100-051, Residential service deposit requirements or WAC 480-100-xx4 Nonresidential service deposit requirements;

- (2) The commission may require reconnection pending resolution of any bona fide dispute between the utility and the customer over the propriety of disconnection.

Comments:

- (1) *New rule created out of current WAC 480-100-072 Discontinuance of service (4).*
(2) *Added commission may order reconnection pending resolution of any bona fide dispute as stated in existing rule.*

WAC 480-100-072 Payment arrangements

- (1) If an electric utility is delayed in billing a residential customer, the utility must offer payment arrangements that are equal to the length of time the bill was delayed, unless the utility determines the customer used service prior to applying for service as outlined in WAC 480-100-071(2)(f) Disconnection of service.
- (2) The utility must offer all residential customers the option of an equal payment plan.
- (a) An equal payment plan allows the customer to pay the same amount each month based on historical usage. If historical information is not available, the utility will base the amount on projected usage;
- (b) The utility may refuse to offer the equal payment plan to customers who have been removed from the equal payment plan for nonpayment within the past six months or have more than a two month past due balance on their current account. However, the utility may offer the equal payment plan to any customer when the utility believes this would be in the best interest of all parties concerned;
- (3) The utility must provide a receipt to customers for all payments made in cash.

Comments:

Changes to existing rule:

- (1) *Moved subsections (3) and (4) of existing rule to separate new rule.*
(2) *Added that if the utility delayed billing to the customer, it must allow the customer to make payment arrangements equal to the length of time the customer waited for the bill.*
(3) *Added that the utility must provide receipts for all cash payments.*
(4) *Clarified how budget payment plans are calculated.*
(5) *Clarified rule pertains to residential customers.*
(6) *Deleted subsection 1 pertaining to allocation of payments.*
(7) *Added language in subsection 2 stating company is not required to offer payment arrangements when customer uses services prior to ordering service.*
(8) *Deleted subsections (4)(a) & (b) pertaining to requiring the company to offer six month payment arrangements.*

WAC 480-100-XX6 Winter low-income payment program

(1) During the winter months, between November 15 and March 15, an electric utility may not discontinue residential space heating service if the customer does all of the following:

- (a) Notifies the utility of the inability to pay the bill and any required deposit. This notice should be provided within five business days of receiving a delinquency notice unless there are extenuating circumstances. If the customer does not notify the utility within five business days and service is disconnected, the customer can receive the protections of this chapter, by paying reconnection charges, if any, and by otherwise fulfilling the requirements of this section;
- (b) Provides self-certification of household income for the prior twelve months to a grantee of the department of community, trade, and economic development or its successor. For the purposes of this section, the grantee is a contractor operating low-income energy assistance programs for the department of community, trade, and economic development. The grantee will determine that the household income is not higher than the maximum allowed for eligibility under the state's plan for low-income energy assistance. The grantee will, within thirty days, provide a dollar figure to the utility that is seven percent of the household income. For the purposes of this section, household income is defined as the total income of all household members as determined by the grantee. The grantee may verify information provided in the self-certification;
- (c) Applies for home energy assistance from appropriate government and/or private sector organizations and certifies that any assistance received will be applied to the customer's current and future utility bills;
- (d) Applies to the utility or other appropriate agencies for low-income weatherization assistance if such assistance is available for the dwelling;
- (e) Agrees and abides to that agreement to:
 - (i) Pay by the following October 15 all amounts owed to the utility and pay for continued service; and
 - (ii) Pay a monthly payment during the winter period. The utility will not require payment of more than seven percent of the customer's monthly income. In addition, the customer must pay one-twelfth of any billings from the date application is made through March 15. A customer may agree to pay a higher percentage of income during this period, but the customer's account will not be considered past due unless payment during this period is less than seven percent of the monthly income plus one-twelfth of any past due amounts accrued from the date application is made and thereafter. If the customer does not pay the past due bill by the following October 15, the customer will not be eligible for protections under this section until the past due bill is paid;
- (f) Notifies and provides documentation to the utility, if requested, that the customer has received any home heating assistance payment from government and/or private sector organizations after being approved for the plan. When the utility receives this information it

- must recalculate the payments for the customer; and
- (g) Pays all amounts owed even if the customer moves.
- (2) The utility will:
- (a) Assist the customer fulfill the requirements under this section;
 - (b) Be required to transfer an account to a new residence when a customer who has established a plan under this section moves from one residence to another within the utility's service area;
 - (c) Be allowed to disconnect service in accordance with WAC 480-100-071, Disconnection of service, if the customer has not kept the payment arrangements as described in subsection (1) of this section. The utility must also include in the customer's disconnection notice:
 - (i) A description of the customer's duties outlined in subsection (1) of this section; and
 - (ii) An explanation that the utility will restore service if the customer contacts the utility and satisfies the other requirements of this section;
 - (d) Be allowed to disconnect service for practices authorized by law other than for nonpayment as stated in this section;
 - (e) Allow customers who qualified under subsection (1) of this section and who default on their payment plan and are disconnected in accordance with WAC 480-100-071, Disconnection of service, to reconnect and maintain the protection afforded under this chapter when the customers:
 - (i) Pay any reconnection charges; and
 - (ii) Pay all amounts that would have been due and owing on the date the service is reconnected; and
 - (f) Provide a written copy of the extended payment plan to the customer.
- (3) Any customer who has a past due amount owing under this payment plan will not be eligible to reapply for a new extended payment plan unless authorized by the utility.

Comments:

Changes to rule:

- (1) This rule is moved from WAC 480-100-072, Payment Arrangements, subsections (3) and (4).
- (2) Reformatted rule to more closely parallel with RCW 80.28.010 (4) and (5).
- (3) Moved definitions of energy assistance grantee and household income from WAC 480-100-021 (5) and (6) to subsection (1) (b) of this rule.
- (4) Added language requiring the grantee to provide the household income eligibility to the utility within 30 days as stated in existing WAC 480-100-072, Payment arrangements.

WAC 480-100-076 Service Responsibility

- (1) Customer responsibility - The customer will notify the electric utility, in writing, prior to all changes to the customer's equipment or usage that will materially affect the service to be rendered. The customer will give such notice within a reasonable time so the utility can provide the necessary facilities and acquire additional power supply, if needed. The charge for such

necessary facilities, if any, will be in accordance with the utility's filed tariff.

(2) Electric utility responsibility - Electric utilities:

- (a) Will install and maintain equipment within their systems that may be necessary to operate the electric system. The commission may require the utility to provide additional equipment in connection with performing special investigations, if economically feasible;
- (b) Will promptly notify all affected customers of a change to the service that would affect the efficiency of operation or the adjustment of the customer's equipment. If an adjustment to the customer's equipment is necessary, the cost will be recovered in accordance with the utility's tariff, except that, when the customer has been notified of a change in service prior to receiving service or when such that change is required by law, the customer must bear all costs in connection with making changes to the customer's own equipment.
- (c) Must maintain its plant in such a condition that will enable it to furnish safe, adequate, and efficient service and meet applicable state and federal standards.
- (d) Will endeavor to avoid interruptions of service and, when such interruptions occur, will endeavor to reestablish service with the shortest possible delay. *{Comment: The suggested revision above returns the current language to this rule. PSE believes the existing language is fair and reasonable, given the technically complex task of creating and delivering high quality electrical energy at the speed of light across thousands of miles of wires to millions of customers. Because Staff's comment section below does not indicate this has been changed, PSE presumes Staff unintentionally copied language from the gas rule and inserted it here. Please note that the physical differences between gas and electric service as well as the difference in potential consequences of service interruptions justifies the different language in the two sets of rules. Changing the language here to "all reasonable efforts" means electric utilities will be held to some higher, but undefined service standard, without any explanation of why this change should be made. PSE urges Staff to incorporate the existing language, as proposed above.}*

When it is necessary for an electric utility to make repairs to or to change its facilities, the utility may, without incurring any liability to customers or others, suspend service for such periods as may be reasonably necessary and in such a manner as to minimize the inconvenience to customers. The utility will individually notify police and fire departments affected by such a suspension. All customers affected by a scheduled interruption associated with facilities other than meters, will be given notification through newspapers, radio announcements, or other means at least one day in advance. *{Comment: The first suggestion in this section is for Staff to drop the first reference to meters in this section. As written, utilities would be liable to customers for service interruptions necessary to repair meters; PSE presumes this was not Staff's intention. The second recommended revision in this section inserts the language clarifying that utilities will not incur liability to customers or others. Including "or others" will help clarify that utilities are not liable to third parties affected by service interruptions (such as customers' insurance providers) when service interruptions occur. This revision clarifies the existing intent—it does not expand its scope. Please note the WUTC recently approved a similar language revision in Schedule 80 of PSE electric tariff.}*

(e) Must keep a record of all interruptions of service affecting a substantial number of customers, including in such record the location, the date and time, the duration, and, as accurately as possible, the cause of each interruption. Utilities must submit copies of such records to the commission upon request.

Comments:

- (1) *This rule was renumbered and rewritten for clarity.*
- (2) *Language adapted to reflect RCW 80.28.010 and stakeholders's comments.*

WAC 480-100-xx7 Disclosure of confidential consumer information

(1) An electric utility may not disclose, permit access to, or use confidential consumer information, as defined below in (3), for the purposes of marketing unregulated services or products offerings to a customer who does not already subscribe to that service or product, unless the utility has first obtained the commission or customer's written permission to do so.

(2) A utility may not share or sell confidential consumer information or customers' names, addresses, or telephone numbers with or to its affiliates, subsidiaries, or any other third party for the purposes of marketing service or product offerings to a customer who does not already subscribe to that service or product, unless the utility has first obtained the commission or customer's written permission to do so.

(3) Confidential consumer information includes the customer's and any other personally identifying information, as well as information related to the quantity, technical configuration, type, destination, and amount of use of service or products subscribed to by a customer of a regulated utility that is available to the utility solely by virtue of the customer-utility relationship.

{Comment: There are three suggested revisions in the above section.

First, the description of this information is more appropriately described as "confidential" as opposed to proprietary. The focus of this section is on disclosure of this information, so it seems more accurate to focus on disclosure. Also, confidential is consistent with how the information was addressed in the Special Contract rulemaking because the existing statutes refer to what information may be marked confidential versus information that must be disclosed.

Second, PSE's revision above would allow an interpretation of this rule consistent with the Commission's recent ruling in the Avista case. In that case, the Commission declined to prevent Avista from using its bill package to market non-utility services, but did order on a reasonable allocation of expenses to such activity. Thus, Avista's use of its bill package to market non-regulated products reduces costs to all customers. By including the customer's name and address as confidential, Staff's proposal would preclude such activities that benefit all customers, in addition to those that decide to purchase the non-regulated products. PSE's proposal also omits telephone number from the list of information utilities may not use. Databases of this kind of information are common and as long as customers receive benefits through reduced costs, it does not seem reasonable to preclude utilities from using

this information. Please note that the proposed revision above would allow utilities to use the information in ways that would reduce costs to all customers but would prevent utilities from disclosing customer names, addresses, and telephone numbers to third parties including affiliates.

Third, PSE again proposes to include a provision that utilities could seek Commission authorization to use confidential customer information to market non-regulated products/services.}

(4) This section does not prevent disclosure of the essential terms and conditions of special contracts as provided for in WAC 480-80-335, Special contracts for electric, water, and natural gas utilities.

Comments:

New rule.

WAC 480-100-081 Service entrance facilities

(1) An electric utility may require customers to:

(a) Provide entrance facilities at the easiest access point to the utility's distribution system and

(b) Comply with reasonable requirements to keep those facilities free from tampering or interference. {Comment: Staff's restructuring of this rule is clearer than the existing rule. However, Staff's rewrite applies complying reasonable requirements to both a and b, whereas the existing rule only includes b. PSE believes it is important to be clear that customers must provide entrance facilities at the easiest access point and since Staff's comment section below does not mention changing this requirement, PSE assumes Staff's revision was unintentional.}

(2) In order to permit the required clearances, utilities may require their customers to provide a structurally sound point of attachment for the utility's service conductors pursuant to the National Electric Code. Information about the National Electric Code regarding the version adopted and where to obtain it is set out in WAC 480-100-999 Adoption by reference.

Comments:

Rule rewritten for clarity.

WAC 480-100-091 Access to premises; identification

(1) Authorized personnel of an electric utility have the right to enter a customer's property during reasonable hours to perform necessary functions such as meter reading, maintenance, repair, testing, installation, or removal of the utility's property. Utilities must provide photo

identification to utility personnel who are authorized to enter customers' premises. Customers have the right to see the utility-provided identification of electric utility personnel before allowing entry to the customer's property. *{Comment: The suggestion here is to clarify that the focus is on utility personnel as opposed to any party that might wish to enter the customer's property unrelated to the utility's work.}*

(2) When performing maintenance, testing, installation, or removal of the utility's property, the utility must restore the customer's property as close as reasonably practicable to the condition prior to the utility's action, unless otherwise defined in the utility's tariff or through a separate agreement with the customer.

Comments:

- (1) Revised per water rules and stakeholder comments.
- (2) Added subsection (2).

WAC 480-100-096 Electric utility responsibility for complaints and disputes

- (1) When an electric utility receives a complaint in any form from a customer or an applicant for service, the utility must acknowledge receipt of the complaint and:
 - (a) Upon request, identify the utility's contact to the complainant;
 - (b) Investigate the complaint promptly as required by the particular case;
 - (c) Report the results of the investigation to the complainant;
 - (d) Take corrective action, if warranted, as soon as possible under the circumstances;
 - (e) If the complainant is dissatisfied with the results or decision, inform the complainant that the decision may be appealed to a supervisor at the utility; and
 - (f) If the complainant is dissatisfied after speaking with the utility's supervisor, the supervisor must inform the complainant of their right to file a complaint with the commission and provide the commission's address and toll-free telephone number.
- (2) Applicants, customers, or their representatives may file with the commission:
 - (a) An informal complaint as described in WAC 480-09-150, Informal complaints; or
 - (b) A formal complaint against the utility as described in WAC 480-09-420, Pleadings and briefs - Applications for authority - Protests.
- (3) When the commission refers an informal complaint to the utility, the utility must:
 - (a) Investigate and report the results to the commission within two business days. The commission may grant an extension of time for responding to the complaint, if requested and warranted;
 - (b) Keep the commission informed of progress toward the solution and the final result; and
 - (c) Respond to the commission's request for additional informal complaint information within three business days of the request or at a date specified by the commission. The commission may grant an extension of time for responding to the complaint, if requested and warranted.

(4) Each electric utility must keep a record of all complaints for at least three years and, upon request, make them readily available for commission review. The record must contain:

- (a) The complainant's name and address;
- (b) The date and nature of the complaint;
- (c) The action taken;
- (d) The final result; and
- (e) All official documents regarding the complaint. *{Comment: The last sentence of (4) above is defining the term "record." Using the phrase record in the explanation of what record means creates an inappropriate circular reference. A clearer and more appropriate description of record here in (e) would be official documents pertaining to the complaint.}*

Comments:

Changes to existing rules:

- (1) Added requirement (a) to subsection (1),*
- (2) Added requirement (c) to subsection (3), and*
- (3) Changed record keeping requirement for all complaints from one to three years*
- (4) Subsection 4 - Added the utility's complaint record must include all correspondence and records regarding the complaint.*
- (5) Subsection (2)(b)- Changed WAC 480-09-500 Brief adjudicative proceedings to WAC 480-09-420 Pleadings and briefs - Applications for authority - Protests.*

WAC 480-100-101 Billing requirements and payment date

(1) Customer bills must:

- (a) Be issued at intervals not to exceed two one-month billing cycles, unless the utility can show good cause for delaying the issuance of the bill, upon request by the commission; *{Comment: PSE appreciates Staff's revision to this language. Staff's language, however, seems to require utilities to proactively request permission to delay bills for more routine bill analysis as opposed to demonstrate why a bill was delayed. Including the proposed language suggested above clarifies that utilities must provide an explanation when the commission requests one.}*
- (b) Show the total amount due and payable;
- (c) Show the date the bill becomes delinquent if not paid;
- (d) Show the utility's business address, business hours, and a toll-free telephone number and an emergency telephone number by which a customer may contact the utility;
- (e) Include the current and previous meter readings, the current read date, and the total amount of kilowatt hours used;
- (f) Show the amount of kilowatt hours used for each billing rate, the applicable billing rates per kilowatt, the basic charge or minimum bill, and any other applicable tariff charges;
- (g) Compare energy usage information for the current month and same billing month of the previous year, if available, for the following:

- (i) Number of days in billing period;
 - (ii) Kilowatt hours used; and
 - (iii) Average kilowatt hours used per day;
- (h) Show the amount of any municipal tax surcharges and their respective percentage rates;
- (i) Clearly identify when a bill has been prorated. A prorated bill will be issued when service is provided for a fraction of the billing period. Unless otherwise specified in the utility's tariff, the charge will be prorated in the following manner:
- (i) Flat rate service will be prorated on the basis of the proportionate part of the period the service was rendered;
 - (ii) Metered service will be billed for the amount metered. Any basic or minimum charge will be billed in full.
- (j) Clearly identify when a bill is based on an estimation.
- (i) The utility must detail its method(s) for estimating customer bills in its tariff;
 - (ii) The utility may not estimate for more than four consecutive months, unless the cause of the estimation is inclement weather, terrain, the customer's meter is blocked or otherwise inaccessible, or a previous arrangement with the customer; *{Comment: PSE again suggests this rule is not necessary. However, if Staff desires to include this rule PSE provides the following two suggestions. First, Staff should also propose a corresponding provision in 071, discontinuance of service, to include inability to read meters for four billing cycles as a reason to discontinue service, under (3) utility directed with notice—please note PSE did not propose to include such a provision because PSE does not believe this rule should be proposed. Second, if Staff believes there is just reason to include this new provision, PSE suggests including the situation where access to the customer's meter is barred.}*
- (k) Clearly identify determination of maximum demand. A utility providing service to any customer on a demand basis must detail in its filed tariff the method of applying charges and of ascertaining the demand.
- (2) The minimum time allowed for payment after the bill's mailing date must be fifteen days, if mailed from within the states of Washington, Oregon, or Idaho, or eighteen days if mailed from outside the states of Washington, Oregon, or Idaho.
- (3) The utility must allow a customer to change a designated payment due date when the customer has a satisfactory reason for the change. A satisfactory reason may include, but is not limited to, adjustment of a designated payment due date to parallel receipt of income. The preferred payment date must be prior to the next billing date.

Comments:

Changes to existing rule:

- (1) *Added total amount owed will be listed on bill.*
- (2) *Added that utility must include business address, toll-free telephone number, business hours and emergency telephone number on bill.*
- (3) *Added information to be included on bill in order to calculate bill amount.*

- (4) *Changed what information is to be provided in order to compare bill with previous year's usage.*
- (5) *Clarified tax information to be included on bill.*
- (6) *Added utility may not estimate bill for more than two consecutive billing cycles. Corrected as explained in (15) below.*
Clarified when estimations for more than two consecutive billing cycles can occur.
- (7) *Added three days to bill due date if bill is mailed outside of the state. Corrected to reflect stakeholders' comments as explained in (16) below.*
- (8) *Added when a customer requests a preferred payment date, it must be requested prior to the next bill date.*
- (9) *Moved reference of the 15-day minimum for billing from WAC 480-100-071 (1)(a), Disconnection of service.*
- (10) *Added method of estimation of bills must be detailed in the utility's tariff.*
- (11) *Subsection (1)(a) - Changed issuing bills from "two months" to "two one-month billing cycles."*
- (12) *Subsection (1)(g) - Requires the utility to provide usage comparison for the "current month" in addition to the same billing month of the previous year.*
- (13) *Subsection 1-Added language stating the utility may delay issuance of billing when it can show good cause for the delay.*
- (14) *1g - Added language allowing the utility may provide comparison of usage information if the information is available.*
- (15) *Subsection (1)(j)(ii) - Changed language from two consecutive billing cycles to four consecutive months.*
- (16) *Subsection 2 - Added states of Idaho and Oregon to the eighteen-day payment time allowance.*
- (17) *Subsection 3 - Changed payment date and billing cycle date to "designated payment due date".*

WAC 480-100-171 Complaint Meter Tests (combining: WAC 480-100-171 Complaint Meter Test, WAC 480-100-166 Dispute as to meter accuracy, and WAC 480-100-111 Refund for inaccurate metering)

- (1) An electric utility must test and report to the customer the accuracy of a meter within twenty business days after receiving an initial request from a customer. *{Comment: PSE understands Staff's concern with the existing language that does not establish any kind of timeline for completion of meter tests. 20 business days appears to be a reasonable time requirement.}* The utility must allow the customer to order one meter test free of charge during a twelve-month period. If the customer disputes the accuracy of the meter, the customer must allow the utility access for meter testing.
- (2) The customer may, at the customer's option, either witness the meter test or designate a representative to witness the test. The customer may require the meter to be sealed upon removal

in the customer's or the customer's representative's presence. The seal must not be broken until the test is made in the customer's or the customer's representative's presence, or until permission to break the seal has been granted by the commission. The utility must report the results of the meter test to the customer.

(3) A customer may request the utility to perform additional meter tests within twelve- months of the last meter test, but additional meter tests will not delay disconnection of service under subsection (9) of WAC 480-100-071, Disconnection of service. The utility must immediately inform the customer of any additional meter test charges. If the customer elects to have the meter test performed, the utility will perform the test and report the test results to the customer within twenty business days. If the additional meter test results show the meter is performing accurately as described in subsection (2) of WAC 480-100-141, Accuracy requirements for electric meters, the utility may charge the customer for performing the additional meter tests. The charge of the meter test must be listed in the utility's tariff. The utility may not charge the customer for any additional meter test that shows the meter is performing outside acceptable tolerance levels as defined in subsection (4) of WAC 480-100-141, Accuracy requirements for electric meters. *{Comments: There are two comments in this section. First, Staff's proposed rule, as well as the existing rule, clearly specify that if an additional meter test shows the meter is fast, the customer is not charged the additional meter test charge. It is not clear what other situations the additional meter test charge should not be applied, so PSE recommends dropping this language. If Staff contemplates forcing utilities to waive the charge for additional meter tests when the additional meter proves accurate, Staff would also have to propose some kind of financing mechanism for utilities to recover the costs if Staff proposes this language. Second, Staff's proposal requires a second meter test to be performed within fifteen days instead of twenty. It seems more reasonable to have the timelines consistent, though PSE would be interested in understanding the reason why Staff proposed the shorter time line on second meter tests.}*

(4) If the customer disputes any meter test result, the utility or the customer may contact the commission to review the complaint. When the commission has notified the utility that a complaint has been received regarding the customer's meter, the utility will not change the meter in any manner unless authorized by the commission. If the utility violates this provision, the commission may consider it as supporting the customer's dispute since the change might affect the proof of the dispute. The commission may require the utility to perform an additional test and report the test results to the commission within ten business days.

(5) If a meter test reveals a meter error greater than specified as acceptable in subsection (2) of WAC 480-100-136, Accuracy requirements for electric meters, the utility must repair or replace the meter at no cost to the customer. The utility must adjust the bills to the customer based on the best information available to determine the appropriate charges. The utility will offer payment arrangements in accordance with subsection (2) of WAC 480-100-072, Payment Arrangements.

(a) If the utility can identify the date the customer was first billed for a defective meter, the utility must refund or bill the customer for the proper usage from that date.

- (b) If the utility cannot identify the date the customer was first billed for a defective meter the utility must refund or bill the customer for the proper usage, not to exceed six months.
- (6) Reports - the commission may require the utility to provide meter test results to the commission in response to a customer's complaint. These reports will contain the name or address of the customer, the meter manufacturer's name, the manufacturer's and utility's meter number, the size or capacity of the meter, the date the meter was tested, the reading of the meter when tested, the accuracy of the meter as found, and the accuracy of the meter after adjustment.

Comments:

Changes to existing rule:

(1) Staff suggest combining the following rules into one:

WAC 480-100-171 Complaint Meter Test

WAC 480-100-166 Dispute as to meter accuracy

WAC 480-100-111 Refund for inaccurate metering

(2) Changed must initiate initial test in 10 days to initiate and report to 20 business days

(3) Deleted utility option of refusing meter test

(4) Added back in language regarding Co ability to refuse additional meter test requested by customer

(5) Deleted "initiate" in subsection (1) and changed to must test and report results to customer within ten business days. Extended time frame for testing the meter and reporting to the customer from ten days to fifteen days and allowed time for shipping meter from third party carrier.

(6) In subsection (3) added back in language regarding the additional test charge may be waived per commission

(7) In subsection (3) deleted the transit time (not in the original rule) for the additional test and added 5 days from original rule.

(8) Added if the customer requests additional meter tests, the utility must inform the customer of the meter test charges.

(9) Clarified that utility may use "best information available" to adjust bills due to meter inaccuracy.

(10) Changed and added language - if utility can identify the date of error must bill or refund the proper usage; if utility can not identify the error must refund or bill for the proper usage, not to exceed six months. Utility must also make payment arrangements.

(11) Clarified customer will not be billed for more than six months for additional meter usage as well as limiting refunds to six months.

(12) In subsection (1), added language stating that, if customer is disputing the accuracy of the meter, the customer must allow the company access to the meter.

WAC 480-100-311 Payment locations

- (1) An electric utility must provide payment agencies in locally accessible locations where

applicants and customers can make payments at no charge to the applicants and customers..
{Comment: PSE will not oppose retention of this language, but as our previous comments have indicated, the rule is not necessary.}

(2) The utility and its payment agencies must provide receipts for any cash payments made by applicants or customers.

(3) The utility must provide written or electronic notice to the commission at least thirty days prior to the closing of any business office, customer service center, or payment agency. In the event that a payment agency is closed on less than thirty days notice, notification is required as soon as the utility becomes aware of the closure. {Comment: The commission recently requested PSE to stop sending these filings, but PSE continues to send them because of this rule. PSE does not oppose sending this information to Staff, especially if the electronic notice is acceptable, but suggests Staff consider if this information is actually used and useful or if this provision can be eliminated.}

(4) The utility must include on its regularly scheduled bills a statement referring its customers to a toll-free number for updated payment agency locations.

Comments:

Changes to existing rule:

(1) Changed title of section

(2) Deleted definition of urgent payment

(3) Changed "reasonable access" to convenient location in section (1). In (1) changed "convenient" to "locally accessible."

(4) Deleted business office designation

(5) Deleted requirement that business offices be accessible in person.

(6) Added utility must notify customers of payment agency closures.

(7) Subsection (1): added that payment agencies should not charge customers to take payments.

(8) Moved subsection 3 to WAC 480-100-041 (2).

(9) Changed language in subsection 3 regarding providing notice to affected customers. Added new subsection 4 referring customers to a toll-free number for updated payment agency locations.

480-100-XX8 Tariff Change customer notification requirements

{Comment: In light of the current rulemaking on WAC 480-80, PSE opposes Staff's recommendation to move this rule from WAC 480-80 to the individual operations rules for each industry. Notices regarding tariff revisions should be addressed in the tariff section, where the rule can be considered consistently across various industries with minor variations as necessary. This supports Staff's position that the rules should be as consistent as possible across the various industries while facilitating communication across industry boundaries. Additionally, PSE believes all notification requirements should be located in the same set of rules, to keep the rules organized in a logical and orderly manner. It would seem the rule that pertains to notifying customers of tariff revisions is probably the most important and relevant of the various notice

rules to keep in the WAC chapter that discusses tariffs. Furthermore, PSE is dismayed to see that Staff is continuing to propose a significant modification to the Commission's notification policy without consideration of other reasonable alternatives that would meet the Commission's interests but that would be consistent with the Commission's legislative authority. Please refer to PSE's comments in WAC 480-80, filed October 23, 2000, for PSE's proposed customer notice rule. }

Comments:

(1) This rule is designed to ensure that customers of a regulated electric utility proposing a change in its rates or services receive adequate information to understand the change and the effects that such a change may have on them and to determine whether or not to become involved in the commission's decision-making process. A good customer notice meets three basic ideas: to notify intent, to educate, and to involve consumers. Currently, customer notice requirements are contained in WAC 480-80-120, Notice to the public of tariff changes, and WAC 480-80-125, Notice by utilities to customers concerning hearing, governed by 80.28.060 RCW. It is staff's intent (chapter 480-80 WAC is currently opened for review) to repeal 480-80-120 and replace that requirement with the new proposed customer notice rules. In WAC 480-80-125, the formal hearing notice, staff will update the language and will recommend that it remain within chapter 480-80.

(2) Please see "Principles underlying customer notice practices".

III. Financial Records and Reporting Rules

WAC 480-100-031 Accounting Systems

(1) Electric utilities in the state of Washington must use the uniform system of accounts applicable to major and non-major electric utilities as published by the Federal Energy Regulatory Commission (FERC) in the Code of Federal Regulations. Information about the Code of Federal Regulations regarding the version adopted and where to obtain it is set out in WAC 480-100-999, Adoption by reference.

(2) Electric utilities having multi-state operations must maintain records in such detail that the costs of property located, and business done, in the state of Washington can be readily ascertained in accordance with geographic boundaries.

(3) Any deviation from the uniform system of accounts, as prescribed by the FERC, will be accomplished only after due notice and order of this commission.

Comment:

(1) This revision separates accounting aspects of rule 480-100-031, Accounting Systems from the reporting aspects.

(2) The language is re-written for clarity.

WAC 480-100-xx9 Financial Reporting requirements

(1) Annual Reports

- (a) Electric utilities will use the annual report form (FERC Form No. 1) promulgated by the Federal Energy Regulatory Commission for purposes of annual reporting to this commission. Data required by RCW 80.04.080 Annual Reports, but not included in the FERC Form No. 1, must also be submitted with the annual report. Utilities must submit the annual report for the preceding calendar year, along with the regulatory fee, by May 1 of each year. If not presented in the prescribed FERC Form, the annual report must include the following data per customer class for the calendar year: revenues, average customer count, and total unit sales. Information about the FERC Form No. 1 regarding the version adopted and where to obtain it is set out in WAC 480-100-999, Adoption by reference.
- (b) Utilities must also submit to the commission, in essentially the same format and content as the FERC Form No. 1, a report which documents the costs incurred and the property necessary to furnish utility service to its customers and the revenues obtained in the state of Washington. The report must include the following data per customer class for the calendar year: revenues, average customer count, and total unit sales;
- (c) Combination and multi-state utilities must submit with the annual report their cost allocation methods necessary to develop results of operations for the state of Washington. Approval of cost allocation schemes for rate making purposes is accomplished only by commission order;
- (d) The total utility results of operations reported by each utility in its annual report to the commission must agree with the results of operations shown on the utility's books and records.

(2) Commission Basis Reports (Annual)

- (a) The intent of the "Commission Basis" report is to depict the electric operations of a utility under normal temperature and power supply conditions during the reporting period. The commission basis report must include the following:
 - (i) Booked results of electric operations and rate base, and all the necessary adjustments as accepted by the commission in the utility's most recent general rate case or subsequent orders;
 - (ii) Actual adjusted results of operations for out of period, non-operating, non-recurring, and extraordinary items, or any other item that materially distorts reporting period earnings and rate base; and
 - (iii) Adjusted booked revenues and power supply expenses to reflect operations under normal temperature and power supply conditions before the achieved return on rate base is calculated;
- (b) Commission Basis reports should not include adjustments that annualize price, wage, or other cost changes during a reporting period nor new theories or approaches which have not been previously addressed and resolved by the commission.
- (c) Utilities must submit the basis of any cost allocations and the allocation factors

necessary to develop the commission basis results of electric operations for the state of Washington;

d) Commission Basis reports are due within four months of the end of a utility's fiscal year.

(3) Quarterly Reports

Electric utilities must file a report of actual results for Washington operations within forty-five days of the end of each quarter. The results of operations report must contain each of the three monthly balances and the latest twelve months ending balance for all accounts of the uniform system of accounts. The report must include the average customer count and total unit sales per customer class for each reported period.

(4) Additional Reports

This section does not supersede any reporting requirement specified in a commission order or limit the commission's ability to request additional information.

Comment:

(1) This revision separates reporting aspects of WAC 480-100-031, Accounting Systems, into a separate rule.

(2) The Commission Basis report is changed to an annual filing.

(3) The monthly report is changed to a quarterly filing with specific required contents.

(4) Other language is re-written for clarity.

WAC 480-100-032 Expenditures for political activities

(1) The commission will not allow either direct or indirect expenditures for lobbying, political information, political education, or political advertising for ratemaking purposes.

(2) Political information, education, and advertising activities include, but are not limited to:

(a) Encouraging support or opposition to ballot measures, legislation, candidates for an office, or current public office holders;

(b) Soliciting support for political action committees;

(c) Gathering data for political mailing lists;

(d) Soliciting political contributions or recruiting political volunteers; and

(e) Advertising to influence public opinion with respect to legislative, administrative, or electoral matters, or any controversial issue of public importance.

Comment:

This version organizes all political expenditures into one rule. Item (e) is from 480-100-043, Promotional advertising.

WAC 480-100-036 Securities, affiliated interests, and transfers of property

(1) Before an electric utility issues stock, securities, or other evidence of indebtedness, the utility

must comply with the requirements of chapters 80.08 RCW and 480146 WAC.

(2) Before an electric utility enters into a contract or arrangement with an affiliated interest, the utility must file a copy or summary of the contract or arrangement with the commission in accordance with chapters 80.16 RCW and 480146 WAC.

(3) Before selling, leasing, or assigning any of its property or facilities, or before acquiring property or facilities of another public utility, an electric utility must obtain an authorizing order from the commission in accordance chapters 80.12 RCW and 480-143 WAC.

Comment:

Rule rewritten for clarity and to conform with statutory changes.

WAC 480-100-043 Promotional Advertising

(1) The commission will not allow either direct or indirect expenditures for promotional advertising for ratemaking purposes. The term "promotional advertising" means advertising to encourage any person or business to select or use the service or additional services of an electric utility, to select or install any appliance or equipment designed to use the electric utility's service, or to influence consumers' opinions of the electric utility.

(2) As used in this rule the term "promotional advertising" does not include:

- (a) Advertising which informs customers how to conserve energy or how to reduce peak demand for energy;
- (b) Advertising required by law or by regulation, including advertising under Part 1 of Title II, of the National Energy Conservation Policy Act;
- (c) Advertising regarding service interruptions, safety measures, or emergency conditions;
- (d) Advertising concerning employment opportunities with the electric utility;
- (e) Announcements or explanations of existing or proposed tariffs or rate schedules; and
- (f) Notices of meetings or commission hearings concerning electric utility rates and tariffs.

Comment:

This new version restricts rule to just promotional type advertising. It maintains prohibition on allowing advertising in rates. The current clause concerning energy efficient appliances is considered redundant and covered in subsection 2(a).

WAC 480-100-211 Retention and preservation of records and reports

(1) Each electric utility must retain all records and reports for three years unless otherwise specified by the publication referenced in subsection (2) of this section. No records may be destroyed prior to the expiration of the time specified by the publication referenced in subsection (2) of this section.

(2) The commission adopts the publication, *Regulations to Govern the Preservation of Records*

of *Electric, Gas, and Water Companies*, published by the National Association of Regulatory Utility Commissioners as the standards for company records retention. Information about the Regulations to Govern the Preservation of Records of Electric, Gas, and Water Companies regarding the version adopted and where to obtain it is set out in WAC 480-100-999, Adoption by reference.

Comments:

Rule rewritten for clarity and consistency with water rules and other chapters.

IV. Metering Rules

WAC 480-100-086 Meter Location

- (1) Subject to the utilities' requirements, customers must provide a place to install the metering equipment that is:
 - (a) Readily accessible to utility employees without risks of bodily harm and
 - (b) Free from vibration, corrosive atmosphere, and abnormal temperatures.
- (2) Upon request by a customer or a customer's representative, electric utilities must provide a written description of acceptable meter installation parameters applicable to the customer's electrical service needs.

Comments:

Rule rewritten for clarity

WAC 480-100-121 Meter Charges

- (1) An electric utility will make no charge for furnishing and installing the meter or meters required to determine the customer's usage for billing of electric service in accordance with the utility's filed tariff. The utility may charge for additional meters requested by the customer or required by the utility's tariff for service beyond determining the customer's bill.
- (2) No meter will be required on unmetered load.

Comments:

Rule rewritten for clarity and stakeholders' comments.

WAC 480-100-126 Meter readings, multipliers, and test constants (combining WAC 480-100-126 Meter reading and WAC 480-100-156 Multipliers and test constants)

(1) Electric utilities must use electric meters or other such devices to accurately record or indicate the quantity of electricity sold to customers. Such measuring devices will allow utilities to calculate a customer's consumption in units of kilowatt-hours or other units as filed in the company's tariffs.

(2) Electric utilities that decide to either measure a customer's consumption with a device that employs a multiplier or calculate consumption from recording devices must provide customers, upon request, information sufficient to enable the customer to compute the quantity consumed.

(3) Indirect reading meters and those that operate from instrument transformers must have the multiplier plainly marked on the dial of the instrument or be otherwise suitably marked.

(4) The watt-hour constant for the meter itself must be placed on all watt-hour meters (as specified in ANSI C12.1). Information about the ANSI C12.1 regarding the version adopted and where to obtain it is set out in WAC 480-100-999, Adoption by reference.

Comments:

(1) Staff proposes combining the following electric rules:

WAC 480-100-126 Meter reading

WAC 480-100-156 Multipliers and test constants

(2) Rule rewritten for clarity. Language adopted as suggested by stakeholders regarding units specified in tariff and specification of constants by ANSI C12.1. Language deleted regarding charts based on input from companies that no such metering devices are still in use.

(3) Reference made to more general ANSI Standard C12.1 maintained because ANSI C-12.1 has superseded ANSI C-12.

WAC 480-100-131 Meter identification

Electric utilities must identify each meter by a unique series of serial numbers, letters, or combination of both, placed in a conspicuous position on the meter.

Comments:

(1) Revisions made for language clarity.

(2) The requirement for companies to include its name or initials on the meter face was dropped following the last workshop. Staff agrees there is not a significant safety issue surrounding identification of electric meter ownership as there is with gas meters and the public's ability to readily identify the responsible utility.

WAC 480-100-136 Initial accuracy of electric meters

All meters must be in good order and adjusted to register as nearly correct as practicable prior to being put into service or returned to service following testing or other work. All meters in service must be sealed by the use of a sealing device acceptable to the commission.

Comments:

- (1) Return to individual rule regarding initial accuracy of meters.*
- (2) Included wording changes suggested by stakeholders to remove redundancy with requirements in WAC 480-100-176 specifying meter testing sample program and acknowledging that testing before returning a meter to service is the same as initially putting it into service.*

WAC 480-100-141 Accuracy requirements for electric meters (combining WAC 480-100-141 Accuracy of watt-hour meters and WAC 480-100-146 Accuracy of Demand Meters)

(1) Watt-hour meter accuracy

- (a) The requirements for watt-hour meters used for measuring electrical quantities supplied include, but are not limited to:
 - (i) All meters must be of proper design for the circuit on which they are used, be in good mechanical and/or electronic condition, have adequate insulation, correct internal connections, and correct register;
 - (ii) Mechanical meters must not creep at "no load" more than one full revolution of the disk in five minutes:
 - (A) When the load wires are disconnected and potential is impressed or
 - (B) In a shop test where the load wires are disconnected and the permissible voltage variation is impressed;
- (b) All meters must be capable of registering no more than plus or minus 2.0 percent error when subject to a current ranging between five and ten percent of the meter's nameplate test current (TA) value, at the meter's rated voltage, and at unity power factor;
- (c) All meters must be capable of registering no more than plus or minus 2.0 percent error when subject to a current ranging between seventy-five and one hundred fifty percent of the meter's nameplate test current (TA) value, at the meter's rated voltage, and at unity power factor;
- (d) All meters must be capable of registering no more than plus or minus 3.0 percent error when subject to approximately one hundred percent of the meter's nameplate test current (ta) value, at the meter's nameplate rated voltage, and at a fifty percent lagging power factor;
- (e) All polyphase meters must have the elements in balance within 2.0 percent when subject to a current approximately one hundred percent of the nameplate test current value, at the meter's rated voltage, at both unity and fifty percent lagging power factor;

(2) Demand meter accuracy

- (a) The requirements for demand meters, demand registers, or demand attachments used to measure a customer's service include, but are not limited to:
 - (i) The device must be in good mechanical and electrical condition;
 - (ii) The device must have the proper multiplier, indicating scale, resetting apparatus, and contact device if used;
 - (iii) The device must not register at no load.;
- (b) The device must achieve the following accuracies:

- (i) Curve-drawing meters that record quantity-time curves, and integrated- demand meters must be accurate to within plus or minus 2.0 percent of full scale throughout their working range;
 - (ii) Timing elements measuring specific demand intervals must be accurate to within plus or minus 2.0 percent and the timing element that provides the time of day record of when the demand occurs must be accurate to within plus or minus four minutes in twenty-four hours;
 - (iii) Lagged-demand meters must be accurate to within plus or minus 4.0 percent of final indication;
- (c) Mechanical and lagged demand meters must be tested at load points above fifty percent of full scale as specified in ANSI-C12.1. Information about the ANSI C12.1 regarding the version adopted and where to obtain it is set out in WAC 480-100-999, Adoption by reference.

Comments:

(1) Staff proposes combining the following electric rules:

WAC 480-100-141 Accuracy of watthour meters

WAC 480-100-146 Accuracy of demand meters

This new rule was rewritten for clarity and includes suggestions from stakeholders.

(2) At stakeholder suggestion, included reference to test current (ta) as found on meter face.

(3) Incorporated stakeholder suggestions regarding reference to meter nameplate ratings.

(4) Deleted subsections (f) and (g) dealing with current transformer related adjustments in order to conform with WAC 480-100-151 Instrument Transformers.

WAC 480-100-176 Statement of meter test procedures

Electric utilities must include in their tariffs a statement describing their practices under these rules covering:

(1) A description of methods used and frequency of tests for determining electric meter accuracy.

The description must include, but is not limited to:

(a) Test group detail and selection procedures;

(b) Performance standard details for meters that exceed the maximum allowable tolerance for slow as well as fast meters;

(c) The corrective action and time period in which such action will be implemented; and

(d) Reference to an industry standard such as ANSI C12.1 or ANSI/[isrt]ASQC-Z1.9 that will establish acceptable criteria for numerical analysis. Information about the ANSI C12.1 regarding the version adopted and where to obtain it is set out in WAC 480-100-999, Adoption by reference.

(2) A description of meter testing equipment, including methods employed to ascertain and maintain accuracy of all testing equipment.

(3) If an electric utility does not maintain meter testing equipment, the electric utility must state that it will use a qualified testing laboratory for this purpose. The utility will notify the

commission by separate correspondence of the name of the testing laboratory making meter tests if it does not maintain meter testing equipment.

(4) The testing and adjustment program used for meters prior to installation and periodically after installation, if applicable.

If an electric utility changes any portion of its meter test procedures after they have been approved by the commission, the utility must submit a revised tariff.

Comments:

(1) Rule rewritten for clarity.

(2) Subsection (2) language revised to reflect original rule language which was more understandable.

(3) Revised wording in subsection (3) to clarify that the name of a meter testing laboratory, if used, is not required to be stated in the electric utility's tariff.

WAC 480-100-181 Meter history records

(1) Electric utilities must keep records showing the history of each meter purchased and installed. Such records must be maintained for the life of the meter plus three months. The forms of such records are subject to commission approval and must contain the following information at a minimum:

(a) The approximate date of purchase;

(b) The manufacturer's name and meter number or the utility's own unique meter identification number;

(c) The place(s) of installation; and

(d) The readings at the time of each installation and each removal.

(2) The records also must include the date of all tests made on the meter, together with data recorded and computations made to determine the meter's accuracy. If a test is a complaint test, the records also must include the complainant's name and the meter's calculated accuracy before and after the test.

Comments:

(1) Rule revised for clarity only.

(2) Subsection (1)(b) was revised to recognize that only one unique number (either the manufacturer's or the utility's) is required to track an individual meter. .

V. Safety and Standards Rules

WAC 480-100-151 Instrument Transformers

(1) Instrument transformers used in conjunction with metering equipment to measure customers' service must:

(a) Be in proper mechanical condition and have electrical insulation satisfactory for the service in which they are used; and

(b) Have characteristics such that the combined inaccuracies of all transformers supplying one or more meters in a given installation will not exceed the following:

100 % Power Factor		50% Power Factor	
10% Current	100% Current	10% Current	100% Current
1.5% error	0.75% error	3.0% error	2.0% error

(2) Meters used in conjunction with instrument transformers must be adjusted so that the overall accuracy of the meter installation (both meter and instrument transformers) will meet the requirements specified in WAC 480-100-141, Accuracy requirements for electric meters. Instrument transformers may be tested with the meter with which they are associated, or separately. Except as provided in these rules, if the transformers are tested separately, the meters also must be tested to assure that the overall installation meets the prescribed accuracy requirements;

(3) Adjustment of the meter to correct instrument accuracy errors is not necessary when instrument transformers with the following accuracy characteristics are used:

(a) Instrument current transformers: The combined effect of ratio error and phase angle on the accuracy of the meter at any load power factor from sixty percent lagging to unity does not exceed six tenths of one percent at ten percent rated current, or three tenths of one percent at approximately one-hundred percent rated current;

(b) Instrument potential transformers: The combined effect of ratio error and phase angle on the accuracy of the meter from ninety percent rated voltage to one-hundred-ten percent rated voltage, at any load power factor from sixty percent lagging to unity, does not exceed three tenths of one percent;

(4) Instrument transformer test results must be kept on record and available for use when transformers are installed;

(5) Phase shifting transformers must have secondary voltages that are within plus or minus one percent of the voltage impressed on primary terminals, when tested under balanced line voltage conditions.

Comments:

(1) Rule rewritten for clarity.

(2) Table in subsection (1) reformatted as suggested by stakeholders.

(3) Subsection (2) moved from WAC 480-100-141 Accuracy of Watt-hour Meters as suggested by stakeholders.

WAC 480-100-161 Portable indicating instruments

(1) Electric utilities must maintain in reasonable working order all portable indicating electrical instruments used to determine quality of electrical service, such as volt-meters, ammeters, and watt-meters, and all fixed-location meter testing equipment in use and, if in question, must check it against suitable reference standards. If suitable reference standards are not available within the utility, the utility must check its portable instruments at a standardizing laboratory meeting specifications recommended by the meter manufacturer.

(2) Electric utilities must adjust portable analog indicating instruments that are found appreciably in error at zero. If a portable analog indicating instrument is in error by more than one percent at commonly used scale deflections, the electric utility must adjust it, unless the instrument is accompanied by a calibration card.

{Comment: PSE supports appropriate rules for employee safety, but suggests the WUTC should defer to Labor and Industries as the government agency that specializes in rules to ensure employees are safe on the job.}

(4) Electric utilities must keep history and calibration records for each portable indicating electrical instrument, as long as the instrument is in service.

Comments:

(1) Rewritten for clarity.

(2) Staff revised subsection (2) of this rule to reflect the fact it relates to analog instruments, based on industry comments. Staff also adopted the suggestion of requiring testing on an annual rather than semi-annual basis.

(3) Included language in subsection (3) related to instruments whose primary purpose is other than for determining the quality of electrical service based on stakeholder concern that equipment used by line workers for safety purposes should also be adequately maintained.

WAC 480-100-186 Standard Frequency

Any electric utility supplying alternating current must design and maintain its distribution system for a standard operating frequency of sixty cycles per second under normal operating conditions.

Comments:

This rule was revised to reflect the fact that North American electric utilities have adopted sixty cycles per second as the standard frequency. The previous draft's reference to the Western Systems Coordinating Council was dropped based on the recognition that the Commission cannot delegate its authority to establish rules and standards.

WAC 480-100-191 Standard Voltage and Permissible Variation

(1) Voltage means the voltage existing with loads operating under stable conditions. Each electric utility must adopt standard voltages for its different classes of standard voltage service and file these standards with the commission in the form of tariffs.

(2) Electric utilities are required to maintain the voltage on their distribution system reasonably constant and any allowed variation must be a gradual change in voltage as a result of normal changes in load.

The voltage on each primary distribution feeder must be maintained as follows:

- (a) Voltage variations may not be more than five percent above or below the standard voltage adopted; and
- (b) The total voltage variation from minimum to maximum value may not exceed eight percent of the standard voltage.

A utility may allow greater voltage variation than that specified in this rule in case of emergency service or when service is supplied directly from a transmission line. A utility may also permit greater voltage variations in an area where the revenues received do not justify close voltage regulation. In such cases, electric utilities are required to provide the best voltage regulation that is economically and technically practicable under the circumstances.

(3) Voltage variations in excess of those specified, caused by the action of the elements, by infrequent and unavoidable fluctuations of short duration due to system operation, or by the operation of power apparatus on the customer's premises which necessarily requires large starting currents and only affects the user of such apparatus, will not be considered a violation of this rule.

(4) Customers must control and operate the equipment on their premises in such a way that its starting and operating characteristics will not cause an instantaneous voltage drop of more than four percent of the standard voltage as measured at the point of interconnection with the electric utility. Likewise, customers must control and operate their equipment in such a way that it does not cause damage or interfere with the normal operation of the electric utility's facilities or of the facilities or equipment of another customer, including causing objectionable flicker in other customers' lights. Utilities are not required to monitor customers' equipment and its interactions with third party or utility equipment on an on-going basis. *{Comment: While Staff's proposed language should include flicker problems, PSE suggests specifically stating flicker may help addressing potential issues with customers by having the most common problem specifically called out as one unacceptable affect on other customers' equipment.}*

Comments:

(1) The rule was rewritten for clarity.

(2) Staff added the final sentence to subsection (4) to clarify that utilities are not required to continuously monitor the actions or installations of its customers. Staff believes the rule applies to customers as well as utilities.

WAC 480-100-201 Accuracy of Test Standards.

(1) Electrical utilities must provide the commission with a written statement of their practices under these rules covering:

(a) A description of test standards and meter testing equipment, if maintained by the electrical utility;

(b) A description of methods employed to ascertain and maintain the accuracy of the test standards and meter testing equipment, including the frequency of such tests, if the electrical utility chooses to maintain its own such standards and equipment rather than use the services of a certified testing laboratory.

(2) If an electrical utilities chooses to maintain its own test standards and meter testing instruments, it must retain records showing the date when each test standard and each meter testing instrument was tested, calibrated, or adjusted. Test standards must not be used in the field as working instruments.

Comments:

Removed from former combined WAC 480-100-141 Portable indicating instruments and reference standards.

WAC 480-100-206 Reports of accidents

Each electric utility must notify the commission orally or by electronic mail no later than the second business day following discovery of any accident that results in death or serious injury to any person occurring in its plant or through electrical contact with its facilities. Electric utilities must submit a follow-up written report to the commission within fifteen business days of initial notification that includes, at a minimum:

(1) The name and address of the person or persons injured;

(2) The time and place of the accident;

(3) Whether the accident resulted in a fatality;

(4) A brief description of how the accident occurred; and

(5) A brief description of any necessary medical treatment that was provided.

Comments:

The rule was revised for clarity and to reflect existing practice by the utilities. The interval between initial discovery of the incident and first reporting to the commission was increased from one to two business days based on stakeholder comments. Clarification was made that reporting is required for electrical contacts only.