

MEMORANDUM

November 20, 2000

To: Chairwoman Showalter  
Commissioner Hemstad  
Commissioner Gillis

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Subject: Gas & Electric Operations Rulemaking - Dockets UG-990294 & UE-990473

**General Discussion:**

The Gas and Electric Operations Rulemaking teams are prepared to move forward by recommending that the Commission file a Notice of Proposed Rulemaking (CR-102) with the office of the Code Reviser in these Dockets. The staff's recommendation to file the CR-102 with the Code Reviser is currently scheduled for the December 13, 2000, open meeting. The purpose of this memorandum is to provide background information on these rules for the Commissioner's Briefing Conference scheduled for November 28, 2000, from 3:00 to 5:00 p.m. At the briefing conference we would like to discuss the remaining issues, and different options to resolve them, in order to finalize the CR-102 draft rules.

Included in this briefing packet is an agenda for the November 28 meeting, an "Outstanding Issues" paper, and a complete copy of the draft rules (with drafting comments). Since these Dockets encompass the entire Gas and Electric Operation rules, many of which are common across the two industries, we have included only the Electric version of each common rule. The gas and electric industry specific rules are also included.

**Process Summary:**

In April, 1999, the Commission filed a Preproposal Statement of Inquiry (CR-101) in these Dockets. The process so far has included circulating an issues paper and four rounds of draft rules seeking written comment. Four workshops were held during this process to discuss and resolve as many issues as possible with the current and proposed draft rules. A request for

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information on Customer Notice issues was sent out as well as a Small Business Economic Impact Statement questionnaire requesting that the utilities estimate the cost impacts of the proposed rules

**Remaining Issues:**

Many issues have been resolved; however, a handful of issues still remain. In the last round of drafts we requested that the stakeholders list their top five issues, in priority order, so that we can focus on these issues in our discussions with you. The Outstanding Issues paper includes a more thorough discussion of these issues. The outstanding issues in the paper are broken down by "major" and "other" issues. We have included the utilities' top five issues as a "major issue" and the remaining issues as "other issues". The PGA interest rate issue (480-90-x10, subsection 4) was a major issue for some gas utilities, however, that issue has been resolved. The remaining issues, in priority order, for discussion are:

**Major Issues:**

- Customer Notice rule (480-90/100-xx8) – Will be discussed if necessary.
- Prior Obligation (480-90/100-056, subsection 3)
- Disclosure of Private Information (480-90/100-xx7)
- Allocation of Payments (480-90/100-071, subsection 6,a,ii)

The Customer Notice rule is led by Penny Hanson. We have reserved some time at the end of the agenda for her on an as needed basis, depending on the outcome of your briefing with her on November 21.

**Other issues :**

- Application for Service (480-90/100-046, subsection 2,e)
- Residential Service Deposit Requirements (480-90/100-051, subsection 1,c)
- Disconnection of Service (480-90/100-071, subsection 5,a)
- Charges for Use of Payment Agencies (480-90/100-211/311)
- Billing Requirements and Payment Dates (480-90/100-106/101 subsection 1,f,g,h)
- Service Responsibilities (WAC 480-100-076, subsection 2)

There are additional comments that address minor technicalities that we do not address here. We want to focus on resolving the bigger issues outlined in the enclosed Outstanding Issues paper. We will continue to work on the remaining technicalities for the final CR-102 drafts.



# AGENDA

## Gas & Electric Operations Rulemakings Dockets UG-990294 & UE-990473 Commissioner's Briefing Conference November 28, 2000 (3-5 pm)

### 1) Introduction and Process Summary

### 2) Discussion of Outstanding Issues

#### Consumer Rules (Vicki, Tani, Pam - 60 min.)

##### Major Issues:

- \* Prior Obligation (480-90/100-056, subsection 3)
- \* Confidential Customer Information (480-90/100-xx7)
- \* Combination Gas/Electric Disconnections (480-90/100-071, subsection 6,a,iii)

##### Other Issues:

- \* Application of Service (480-90/100-046, subsection 2,e)
- \* Residential Service Deposit Requirements (480-90/100-051, subsection 1,c)
- \* Disconnection of Service (480-90/100-071, subsection 5,a)
- \* Charges for Use of Payment Agencies (480-90/100-211/311)
- \* Billing Requirements and Payment Dates (480-90/100-106/101 subsection 1,f,g,h)
- \* Service Responsibilities (WAC 480-100-076, subsection 2) - Graciela

### 3) Customer Notice Rule (Penny - 45 min)

### 4) Conclusion - Next Steps



# **GAS AND ELECTRIC CONSUMER RULES OUTSTANDING ISSUES NOVEMBER 20, 2000**

## **MAJOR ISSUES:**

### **1) Prior Obligation rule**

**WAC 480-90-056(3) and 480-100-056 (4)**

This is the rule which currently states that a company may not withhold service to a customer for an amount owed to the company. In other words, if a customer is disconnected because he/she did not pay a bill, the company can collect the amount due through whatever means it chooses, but must reinstate service if the customer pays the appropriate deposit and reconnection fee, even if the customer has not paid the past due balance. Under the current rule there is no limit to how many times a customer can be disconnected and reconnected.

This rule has been in effect at the Commission for about 20 years. The companies have traditionally opposed it, and consumer advocates have traditionally supported. This rule is fairly unique to our state. Most other states do not have such a rule, however, most other states have an absolute prohibition against winter disconnections, regardless of the customer's ability to pay, which we do not have in our rules.

In the current draft, staff has proposed limiting the number of times a customer can use this rule to three times in a calendar year. This is based on our experience, through working complaints, with some customers who abuse the rule. That is, they become disconnected and reconnected many times over without paying any portion of the past due amount.

Data from Avista tells us that, in 1999 within Spokane service area, 1,240 customers used the prior obligation rule once; 422 used it twice; 168 used it three times; 87 used it four times; and the numbers go down from there.

Based on our experience and Avista's data, staff proposes that a customer be allowed to use this mechanism no more than three times in a calendar year.

Public Counsel will strongly oppose this change. We will likely hear opposition from AARP and the Energy Project as well. They argue that 1) there is no documentation proving the number of prior obligations adversely impact the companies' financial positions, and, 2) there are no approved tariffs providing low-income assistance which is more significant now with the recent rate increases for electric and gas customers. Companies oppose the prior obligation concept in its entirety, and may argue that it should not exist at all; and if it does exist, it should be limited to only two times in a calendar year.





Staff Recommendation: Revise the current rule to limit the number of prior obligations a customer can have to three occasions in one calendar year.

## **2) Disclosure of Private Information**

**WAC 480-90/100-xx7**

This is a new rule for the electric and gas industries. Briefly, it says that a company cannot use customer information to market unregulated services; and may not share customer information with affiliates, subsidiaries, or any other third party for marketing purposes. Customer information is defined as the customer's name, address, telephone number, and any other personally identifying information; and information about the customer's utility service or usage.

Public Counsel supports the new rule.

Avista and PSE oppose the rule in that a customer's name, address and telephone number are included in the definition. It appears Avista's concerns, as well as PSE's, are that the rule would prohibit the use of bill stuffers to market services of the utility or any other entity.

Staff proposes to explicitly allow bill stuffers, but to prohibit other types of marketing. It seems that bill stuffers are far less intrusive to a customer, since he/she already receives the bill as a piece of mail. Consumers complain about the number of telephone and direct mail solicitations they receive - - the intent of the rule is to eliminate these types of solicitations to individuals who are solicited solely on the basis of their status as a utility company customer.

Staff Recommendation: Explicitly allow bill stuffers, but prohibit other types of marketing by including the customer's name, address, and phone number in the definition of private information.

## **3) Allocation of Payments**

**WAC 480-90/100-071 (6)(a)(iii)**

**WAC 480-90/100-072 (1)**

Staff initially proposed new language in the rules addressing companies who provide both electric and natural gas services and have a single billing system for both services. For these companies (currently, Avista only), the bill distinguishes the amounts billed for electric and gas, but if the customer has a balance forward from the prior bill, it is carried forward as a single amount. In other words, after the first bill, it is impossible to determine how much of a customer's total amount due is for gas and how much is for electric.



The initial proposed rule proposed that if a customer pays a portion of the total amount billed, the company allow the customer to apply the payment to electric or gas, at the customer's choice. If the customer does not choose, the company must apply the payment to both services on a prorated basis according to the amounts billed for each service. A new companion rule proposed that a customer not be disconnected from electric service for an amount due for gas service and visa-versa. This change would require companies to, on every bill, clearly state the amount due for gas and the amount due for electric.

Avista strongly opposed this language, stating that its combined billing system does not track payments separately for electric and gas services. It states that in order to comply with this rule, it would have to spend \$5 million to overhaul its billing system. The company's procedure is to disconnect electricity rather than the natural gas service for any delinquent amount. It states that it is more expensive and more hazardous to disconnect natural gas than electricity.

Staff argued that customers who struggle to pay energy bills should have the right to determine how payments are allocated. Customers with different companies for gas and electric make this determination every time they pay a bill. If indeed a customer is not able to pay all of his/her bills, he/she is able to choose, through bill payments, which service to allow to lapse. Customers who happen to have the same company for both services should not be penalized by taking this choice away.

Additionally, if Avista is required to follow the electric rules for its electric business, and gas rules for its gas business, it is not in compliance with existing rules, because it disconnects electric service in all cases, even though some portion of the amount owed actually applies to gas service. PSE also disconnects electric service for any amount owed, including gas service.

In further discussions with the company, the company offered, and staff accepted, that in lieu of overhauling its billing system, the company would allow customers the choice of which service they would rather have disconnected if the bill became delinquent. Staff redrafted the rules in the 3<sup>rd</sup> Draft allowing the company to continue its combined billing but to allow customers the choice of which service to disconnect. After receiving the 3<sup>rd</sup> Draft, Avista has retracted that offer, stating it is too costly to offer that alternative.

At this point, the company asks that it be "grandfathered" within the rules to allow current practice until such time as it redesigns its billing system (although it has no plans to do so in the foreseeable future).

Staff and the company have not been able to come to an agreement on this issue. Comments from Puget Sound Energy indicates that it agrees with Avista (although PSE has a separated billing system) .

Staff Recommendation: Staff asks for direction from the Commissioners on this rule.  
There are four options:



- Require the companies to separate amounts due for gas and electric. This is the option that Avista indicates will cost \$5 million.
- Require the companies to allow a customer to choose which service is disconnected for a delinquent amount. Avista tells us this is also an expensive option, although it has not indicated a cost.
- “Grandfather” Avista in the rules, or allow a rule waiver, until such time as it redesigns its billing system, when it will incorporate the separated billing system.
- Allow companies to continue to disconnect electric for any past due amount, including amounts due for gas service. Staff believes this will require some sort of rule change, as this practice is not allowed under current rules.

## **OTHER ISSUES:**

### **4) Application for Service WAC 480-90/100-046(2)(e)**

This rule proposes new language outlining what type of information the companies can require from applicants ordering new service. Public Counsel opposes (2)(e) which states that companies can require, "Any additional information the utility may reasonably require for billing, service and determining deposits." Public Counsel feels this section is too broad and has the potential for discrimination between customers. Public Counsel wants all information for service application detailed in this rule or have this section eliminated.

Companies support this language, as it give them the ability to determine on a case-by-case basis information needed to provide service to each customer. For example, the company may need to know the capacity, amps, or equipment the customer will use so the company can effectively engineer the service.

Staff feels the companies should have latitude to determine what information is necessary from a customer to provide service, but does not believe that all possible information could be captured in a rule.

Staff Recommendation: Revise the current rules to allow companies to require “any additional information the utility may reasonably require for billing, service and determining deposits.”

### **5) Residential Services Deposit Requirements WAC 480-90/100-051(1)(c)**

This rule allows companies to require a deposit when it finds that a prior customer is living at a residence who owes a past due bill for that address. This is an existing rule



that essentially restricts "roommates" from changing accounts into each other's names in order to avoid payment of past due bills. This rule allows companies the opportunity to protect itself from any potential delinquent accounts due to this type of behavior.

Public Counsel strongly opposes this language, stating it is unduly discriminatory and allows companies to pry into the personal affairs of its customers, violating a customer's privacy.

Staff Recommendation: Maintain this rule, allowing companies to require a deposit when it finds that a prior customer is living at a residence who owes a past due bill for that address.

## **6) Disconnection of Service** **WAC 480-90/100-071(5)(a)**

This rule allows a customer with a medical emergency, as certified by a medical professional, to keep service even though there is a past due amount owing to the company. It also requires the customer to make payments on the past due amount. The proposed language changes the existing rule by excluding the patient's name, medical condition, and relationship to the customer from information the customer must provide to claim a medical emergency.

This change was made on advice of counsel, who tell us that customers can not be required to provide this information. Customers will be required to provide the patient's address, how the medical condition will be aggravated if service is disconnected, and how long the condition is expected to last.

The companies oppose this change. They believe this information is important to document the relationship of the patient to the customer, and to determine whether the stated medical emergency requires service remain connected.

Staff Recommendation: Revise existing rules to exclude the patient's name, medical condition, and relationship to the customer from information the customer must provide to claim a medical emergency.

## **7) Charge for use of Payment Agents** **WAC 480-90-211 and 480-100-311**

The companies propose to include language in this rule allowing payment agents to charge customers a "reasonable" fee for using their service. A payment agent is a location where a customer can make a payment for utility service that is not a company-owned or operated location (i.e., a local bank or grocery store). The companies contend that pay stations are not free to the utilities and that this "free" service is actually subsidized by the majority of its customers. In addition, if pay stations could charge a fee





for their service, the companies would have more businesses interested in offering these services.

Staff feels the majority of the customers using these services struggle to make their payments on time due to restricted financial resources. It would pose as one more obstacle in meeting their payment obligations.

Staff Recommendation: Do not allow service charges to customers for the use of payment agents.

## **8) Billing Requirements and Payment Dates** **WAC 480-90-106 (1)(f)(g)(h) and 480-100-101-(1)(f)(g)(h)**

These rules list various detailed information which would be shown on the bills. Currently, the rules require that bills include the number and kind of units consumed in addition to the amount and percentage of any municipal occupation, business and excise taxes. The proposed rule would require:

- The amount of therms or kilowatt hours used for each billing rate;
- The billing rates per therm or kilowatt hour;
- The basic charge or minimum bill;
- Other applicable tariff charges;
- Comparable energy usage information for the current month and the same billing month of the previous year for the number of days, therms or kilowatt hours used and average therms or kilowatt hours used per day (moved to 480-100-041); and
- The amount of any municipal tax surcharges and their respective rates.

Avista is the only company opposing this rule. It states that in order to add this information on their bills, the company would have to redesign their bills, costing an estimated \$75,000. The company contends its customers are satisfied with their billing format and these requirements are not necessary.

Staff and consumer advocacy groups think this information is necessary to help people manage their energy resources more efficiently, and would provide consumers the information they need to understand how their bills are calculated. However, staff is, after discussions with companies since the 3<sup>rd</sup> Draft, recommending some changes to the recent proposal.

Staff Recommendation: Staff recommends the language be revised to include only the following specific elements:

- The amount of therms or kilowatt hours used for each billing rate;
- The billing rates per therm or kilowatt hour;
- The basic charge or minimum bill;
- Comparable energy usage information for the current month and the same billing month of the previous year for the number of days, therms or kilowatt hours used



and average therms or kilowatt hours used per day (if available, [moved to 480-100-041]); and

- The amount of any municipal tax surcharges or their respective rates.

## **9) Service responsibilities (Electric Only)**

### **WAC 480-100-076, subsection 2**

**Issue 1 - Subsection (2)(d): *Proposed language*** - (The utility) Will make all reasonable efforts to avoid interruptions of service and, when such interruptions occur, will endeavor to reestablish service with the shortest possible delay.

Staff substituted “make all reasonable efforts” for “endeavors” in (2)(d) while referring to avoid interruptions of service.

PSE argues that 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.”

In redrafting this rule, Staff intended to establish the need for utilities to comply with industry standards, rather than simply endeavor, to avoid interruptions of service. Staff believes that the expression “make all reasonable efforts” captures this intention more appropriately and is consistent with the current (and proposed) Gas rule.

**Issue 2 - Subsection (2)(d): *Proposed language*** - “When it is necessary for an electric utility to make repairs to or to change its facilities other than meters, the utility may, without incurring any liability, suspend service for such periods as may be reasonably necessary and in such a manner as to minimize the inconvenience to customers.”

PSE suggests to add the phrase “to customers or others,” to clarify that utilities are not liable to third parties affected by service interruptions (such as customers’ insurance providers) when service interruptions occur. The company states that the commission recently approved a similar language revision in Schedule 80 of PSE electric tariff.

The current rule establishes service responsibilities for companies and customers. PSE’s language, which purports to absolve companies from liability to others who are not customers, goes beyond the current rule and arguably beyond the Commission’s jurisdiction. Therefore, the current language is being retained (“any liability”). This will not prevent companies from arguing that the rule absolves them from liability to third parties, but that can be examined by a court on a case by case basis.

**Issue 3: - Subsection (2)(c): *Proposed language*** - 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.

PSE argues against Staff’s proposal to include a new provision that utilities must maintain systems to provide “safe” and “efficient” service in addition to the existing



“adequate.” The Company argues that the new “safe” and “efficient” standards as they appear in this rule would be in addition to state and federal standards as opposed to in accordance with state and federal standards. The concern is that Staff’s proposal may create a new, undefined safety rule that could increase utilities’ exposure to legal claims—even if the utility installs and maintains its system in accordance with all defined state and federal rules and laws. PSE is similarly concerned that “efficient” is not defined or explained.

RCW 80.28.010 (2) states that “every ... electric company ... shall furnish and supply such service, instrumentalities and facilities as shall be **safe**, adequate and **efficient**, and in all respects just and reasonable.” Consequently, Staff is simply making the rule consistent with the statute. Utilities already must provide service that is safe, adequate and efficient in order to be in compliance with the statute.



**Docket UE-990473 Electric Rulemaking  
WAC Chapter 480-100 Electric Companies  
Docket UG-990294 Gas Rulemaking  
WAC Chapter 480-90 Gas Companies-Operations**

**CR-102 Draft**

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## I. General Rules

### WAC 480-100-001 Purpose (New rule)

This section details for readers the purposes of the rules in Chapter 480-100 WAC. The legislature has declared that operating as an electric utility in the state of Washington is a business affected with the public interest and that such utilities should be regulated. The purpose of these rules is to administer and enforce Chapter 80.28 RCW, by establishing requirements for:

- (1) Consumer protection;
- (2) Financial records and reporting;
- (3) Electric metering;
- (4) Electric safety and standards; and
- (5) Reliable and efficient electric service.

#### **Comments:**

*New rule to establish the purpose of Chapter 480-100 WAC.*

### 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.
- (2) The tariff provisions filed by utilities must conform with these rules. If the commission accepts a tariff that conflicts with these rules, the acceptance does not constitute a waiver of these rules unless the commission specifically approves the variation consistent with WAC 480-100-xx1. Tariffs that conflict with these rules without approval are superseded by these rules.
- (3) Any affected person may ask the commission to review the interpretation of these rules by a utility or customer by posing an informal complaint under WAC 480-09-150, Informal complaints, or by filing a formal complaint under WAC 480-09-420, Pleading and briefs - Application for authority - Protests.
- (4) No deviation from these rules will be permitted without written authorization by the commission. Violation will be subject to penalties as provided by law.

**Comments:**

- (1) Revised for common language with similar sections in other industries.
- (2) Revised to reflect stakeholder comment observing these rules include various requirements of customers and applicants.

**WAC 480-100-xx1 Exemptions from rules in Chapter 480-100 (New rule)**

- (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.
- (3) The commission will assign the request a docket number, if it does not arise in an existing docket, and will schedule the request for consideration at one of its regularly scheduled open meetings or, if appropriate under chapter 34.05 RCW, in an adjudication. The commission will notify the person requesting the exemption, and other interested persons, of the date of the hearing or open meeting when the commission will consider the request.
- (4) In determining whether to grant the request, the commission may consider whether application of the rule would impose undue hardship on the petitioner, of a degree or a kind different from hardships imposed on other similarly situated persons, and whether the effect of applying the rule would be contrary to the purposes of the rule.
- (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's customer or 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 (New rule)**

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 (Electric)**

- (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 have applied 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 480-90-021 Definitions (Gas)**

- (1) Applicant - any person, corporation, partnership, government agency, or other entity that applies for service with a gas utility or who reapplies for service at a new or existing location after service has been discontinued.
- (2) British thermal unit (Btu) - the quantity of heat required to raise the temperature of one pound of water at 60° Fahrenheit and standard pressure, one degree Fahrenheit.
- (3) Business day - Monday through Friday, 8:00 a.m. until 5:00 p.m., except for official state holidays.
- (4) Commission - the Washington utilities and transportation commission.
- (5) Customer - any person, corporation, partnership, government agency, or other entity that applies for, has been accepted, and is currently receiving service.
- (6) Cubic foot of gas - a volumetric unit of measure used in sales and testing.
  - (a) Sales - a cubic foot of gas for billing purposes is the amount of gas that occupies a volume of one cubic foot under the temperature and pressure conditions existing in the customer's meter. Temperature and/or pressure recording or compensating devices may be used to reflect temperature or pressure base conditions for computing the volume sold. Temperature and/or pressure compensation factors may be used to compute the volume of gas sold as provided in the utility's tariff.
  - (b) Testing - a cubic foot of gas for testing purposes is the amount that occupies a volume of one cubic foot at a temperature of sixty degrees Fahrenheit and pressure of 14.73 pounds per square inch absolute.
- (7) Gas - any fuel or process gas, whether liquid petroleum gas, manufactured gas, natural gas, or any mixture of these.
  - (a) Liquefied petroleum gas - a gas consisting of vapors of one or more of the paraffin hydrocarbons, or a combination of one or more of these vapors with air.
  - (b) Manufactured gas - any gas produced artificially by any process.
  - (c) Natural gas - a mixture of gaseous hydrocarbons (chiefly methane) and nonhydrocarbons that occur naturally in the earth.
- (8) Therm - a unit of heat equal to 100,000 Btu's.
- (9) Gas 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 three following conditions:
  - (a) Owns, controls, operates, or manages any gas plant in Washington State;
  - (b) Manufactures, transmits, distributes, sells, or furnishes gas to the public for compensation; and
  - (c) 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 gas industry, or their ordinary meaning if there is no meaning generally accepted in the gas industry.

**Comments:**

- (1) Rule rewritten for clarity and updating.*
- (2) Term no. 6 (Gas), is expanded to include "process" use in addition to "fuel" use.*
- (3) Eliminate terms 5 and 7- 11 from the glossary. These terms are used in connection with only one or two rules and that the terms can be defined within those rules. The glossary should contain only terms that are used repeatedly and scattered throughout the chapter.*
- (4) Add new term no. 3 (business day) per suggestion. Renumber to reflect additional term.*

**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 services**

**Comment:**

*This rule will be moved to Chapter 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, to respond to customer inquiries and complaints, and to generally act as representatives of 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 such data is 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 such data is available.

(7) The utility must provide customers information comparing energy usage for the current month and same billing month of the previous year, if available, either on the customers' bills or upon request, as follows:

- (a) Number of days in billing period;
- (b) Kilowatt hours used; and
- (c) Average kilowatt hours used per day;

(8) 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 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) Subsections 5 and 6 - Changed requirement for providing applicant's consumption information.*

*(4) Subsection 6 - Clarified commission requires utilities to provides information to consumers*

*only on regulated services.*

*(5) Moved Subsection 3 from WAC 480-100-311 to Subsection 2 of this rule.*

*(6) Added "if available" in providing account information in Subsections 5 and 6.*

*(7) Added utility must provide electronic or paper copies at the same time it delivers this information to its customers.*

*(8) Moved usage comparison information from WAC 480-100-101 to subsection 7 of this rule.*

#### **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.
- (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 applicant 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 the time of application.

(6) Subsection (2)(e) - Removed reference to deposits since deposit issues are detailed in 480-100-051, Deposit Requirements.

### **WAC 480-100-051 Residential services deposit requirements**

(1) Deposit criteria for current residential customers - 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;

(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.

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

(a) The applicant has met the conditions described in subsection (1) of this section with another electric utility;

(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;

(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 the service location's most recent twelve month's usage, or if service did not exist, two-twelfths of the estimated annual usage; or

(b) For utilities billing bi-monthly three-twelfths of the service location's most recent twelve months usage or, if service did not exist three-twelfths of the estimated annual usage..

(4) Deposit payment arrangements - The utility must allow an 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.

(5) Alternative to deposit - The utility must allow any customer or applicant who indicates an

inability to pay a deposit:

- (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; or
  - (d) The opportunity to provide a reference from a similar utility that can be quickly and easily checked if the conditions in subsection (1) cannot be met.
- (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 from the old address, must be transferred or refunded.
- (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 subsection (1) of 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 deposit to the date of refund or when applied directly to the customer's account; and
  - (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 a separate rule.
- (9) Changed mailing date requirements to include Oregon and Idaho with Washington.
- (10) Added "current" to Subsection (1)
- (11) Moved reference provided by customer to utility from subsection (2)(a) to alternative to deposit section (5) (d).
- (12) Added the condition of "continuous" to employment requirement in subsection (2)(b).
- (13) Added "subsection (1) of this section" in subsection (7).
- (14) Changed "time" to "date" in subsection (9)(c).

**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 service location's most recent twelve month's usage, or if service did not exist, two-twelfths of the estimated annual usage; or
  - (b) For utilities billing bi-monthly, three-twelfths of the service location's most recent twelve months usage or, if service did not exist, three-twelfths of the estimated annual usage.
- (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 date of deposit to the date 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:**

- (1) *Separated the nonresidential applicants and customer deposit requirements from existing rule.*

(2) *Change time to date in subsection (6)(c)*

**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 or other customers' properties from theft of damage;
  - (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) 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.
- (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.

**Comments:**

- (1) *Combined with WAC 480-100-116 Responsibility for Delinquent Accounts.*
- (2) *Combined subsections 2-7 under subsection 2.*
- (3) *Subsection 4 - Added a minimum number of times prior obligation may be offered to applicants or customers.*
- (4) *Subsection 3 - Clarified this section applies to residential customers only.*

- (5) *Subsection 4 - Clarified prior obligation accounts are related only to residential accounts.*  
(6) *Subsection 5 - Determined this section is redundant to Subsection 4.*

#### **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 or on a separate invoice.

(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) A statement of how long the condition is expected to last; and

- (iv) 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;



**(iii) Utilities with combined accounts for both gas and electric service must provide the customer the option of choosing which service will be disconnected. If the customer does not choose, the utility may disconnect the service of its choice. Staff has a number of options to be discussed at the Commissioners' conference.**

(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.*

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

(6) *Subsection (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. Subsection (2)(a) - Combined language addressing obtaining service fraudulently with tampered or stolen service.*

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 subsection (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. Subsection (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 subsection (5)(e)-combined language with subsection (5)(d).*

(16) *Added company may bill the reconnection charge or deposit on a separate invoice.*

Notice procedures:

(17) *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.*

(18) *Reformatted the procedures for disconnection.*

(19) *Utilities are no longer required to mail notices; personal delivery is now another option with same due date as if mailed.*

(20) *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.*

(21) *Updated information as to when and how the utilities should provide notice to medical facilities and relevant state offices.*

(22) *Subsection (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 time mutually agreeable between the customer and the company, after the customer has paid, or at the time the utility has agreed to bill, any reconnection charge, and:

- (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 customer has paid any account that is not 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.*
- (3) *Subsection (1) - Added customer and company may determine time for service restoration.*
- (4) *Subsection (1)(c) - Clarified companies cannot require customers to pay a prior obligation account for service restoration.*

## **WAC 480-100-072 Payment arrangements**

~~(1) If a residential customer is billed for both gas and electric service and pays a portion of the total amount billed, the electric utility must allow the customer the option of applying the payment to the service of their choice. If the customer makes a partial payment and does not choose to which service the payment will apply, the utility must apply the payment to both services on a prorated basis according to the amounts billed for each service. Staff has a number of options to be discussed at the Commissioners' conference.~~

- (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 a 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 (Electric)**

- (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 - Each electric utility:
- (a) Will install and maintain equipment within its system 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 make all reasonable efforts to avoid interruptions of service and, when such interruptions occur, will endeavor to reestablish service with the shortest possible delay. Interruptions as used in this subsection do not refer to the discontinuance of service to those customers receiving service under an interruptible service schedule. When it is necessary for an electric utility to make repairs to or to change its facilities other than meters, the utility may, without incurring any liability, 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.

(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.*

*(3) Subsection (2)(d) redrafted to reflect that utilities must make all reasonable efforts to comply with industry standards in case of interruptions of service.*

*(4) Added that interruptions do not refer to the discontinuance of service to customers receiving service under an interruptible service schedule to subsection (2)(d) to respond to stakeholders suggestion.*

**WAC 480-90-076 Service Responsibility (Gas)**

(1) Customer responsibility - The customer will notify the gas 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 gas supplies, if needed. The charge for such necessary facilities, if any, will be in accordance with the utility's filed tariff.

(2) Gas utility responsibilities:

(a) Each gas utility will install and maintain at appropriate locations within its system such equipment that may be necessary to determine the operating characteristics of the system. The Commission may require the utility to provide additional equipment in connection with performing special investigations, if economically feasible;

(b) Each gas utility will promptly notify all affected customers of a change to the system that would affect the efficiency of operation or the adjustment of the customer 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 the change is required by law, the customer must bear all costs in connection with making such changes;

(c) Each gas utility must adopt and maintain as constant as practical a standard pressure of gas measured at the outlet of any customer's meter, and/or regulator in cases of a high pressure system. The standard pressure adopted will be filed with the commission as part of the gas utility's schedule of rates, rules, and regulations. Pressures other than standard may

be furnished to a customer upon mutual agreement between the utility and customer, and provided that such pressure can be maintained without adversely affecting the service being provided to other customers on the system; and

(d) Each gas utility must maintain its gas system in a condition that will enable it to furnish safe, adequate, and efficient service and meet applicable state and federal standards.

(3) Interruption of service - The term "interruptions" as used in this rule refers to the temporary discontinuance of gas flow to any customer(s) due to accident, required repairs or replacement, or to the actions of municipal or other agencies. It does not refer to the discontinuance of gas flow to those customers receiving service under an interruptible service schedule. The gas utility will make a reasonable effort to avoid interruption of service and, if an interruption occurs, will endeavor to reestablish service with the shortest possible delay.

(a) Scheduled interruption - Each gas utility will minimize the inconvenience to customers when it is necessary to make repairs or changes to its facilities that require the interruption of service. The gas utility must notify all customers affected by a scheduled interruption in person or through newspapers, radio announcements, or by other means at least one day in advance of the scheduled interruption.

(b) Forced (emergency) interruption - The company may curtail firm gas service in the event of an emergency or when forces beyond the control of the utility require interruption. No curtailment of firm customers will be allowed until all interruptible customers have been curtailed in the affected area.

(c) The utility will individually notify police and fire departments affected by an interruption of service.

(4) Record of interruptions - Each gas utility must keep a record of all interruptions of service affecting its 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) Rule rewritten for clarity.

(2) Included definition of "interruption" in subsection (3) that is included in current rule language.

**WAC 480-100-xx7 Disclosure of private information**

(1) An electric utility may not disclose, permit access to, or use private consumer information, as defined in subsection (3) of this section, 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 customer's written permission to do so.

(2) A utility may not share or sell private consumer information 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 customer's written permission to do so.

(3) Private consumer information includes the customer's name, address, telephone number, 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.

(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.

(5) This section does not prevent the utility from inserting any marketing information into the customer's billing package.

***Comments:***

*(1) New rule.*

*(2) Subsection 5 - Added utility can insert marketing information in the customer's billing packages.*

**WAC 480-100-081 Service entrance facilities (Electric)**

(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.

(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 480-90-081 Service connections (Gas)**

(1) The gas utility will furnish, install, and maintain piping and other fittings to the customer's fuel line up to the point of delivery. The point of delivery will be at the outlet of the meter or at the connection to a customer's piping, whichever is farther downstream.

(2) The customer may be required to pay for or install any service connection such as pipes and fittings in compliance with the gas utility's standards and filed tariff(s). The service piping and

fittings up to the point of delivery will become the property of the utility, which will accept all responsibility for future maintenance and operations in accordance with its filed tariffs.

**Comments:**

*Currently, the rule does not define the point of delivery. The changes to the rule now specifies where that point-of-delivery will be for all new gas systems.*

**WAC 480-100-091 Access to premises; identification**

- (1) Authorized representatives 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 representatives who are authorized to enter customers' premises. Customers have the right to see the utility-provided identification of electric utility representatives before allowing entry to the customer's property.
- (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).*
- (3) *In subsection (1), stated that all utility representatives that enter customers' property should have photo identification in order to provide assurance to members of the public.*

**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 the complainant's 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.

**Comments:**

*Changes to existing rule:*

- (1) Added requirement (a) to subsection (1).
- (2) Added requirement (c) to subsection (3).
- (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. The utility must be able to show good cause if requested by the commission;
  - (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;
- (g) Show the amount of any municipal tax surcharges or their respective percentage rates;
- (h) 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.
- (i) 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, or a previous arrangement with the customer;
- (j) 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) *[Former] 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. This subsection has been moved to WAC 480-100-041, Information to customers, (7).*
- (13) *Subsection (1)-Added language stating the utility may delay issuance of billing when it can show good cause for the delay.*
- (14) *Subsection (1)(g) - Added language allowing the utility may provide comparison of usage information if the information is available. Now moved to WAC 480-100-041, Information to customers, (7).*
- (15) *Subsection (1)(i)(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."*
- (18) *Moved [former] subsection (1)(g)(i)(ii)(iii) to WAC 480-100-041, Information to Consumers, subsection 7.*
- (19) *Subsection (1)(f) - Deleted "and any other applicable tariff charges".*
- (20) *Subsection (1)(g) - Changed the requirement of providing the amount of tax surcharges and their respective percentage rates to providing the amount of the tax surcharges or the percentage rates.*

**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. The utility must allow the customer to order one meter test free of charge during a twelve-month period. The utility may appeal to the commission to waive the responsibility of performing the meter test, to request an extension to perform the meter test or to be allowed to charge for the meter test. 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 480-100-136, Initial accuracy of 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.

(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 the utility 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 it must bill or refund the proper usage; if utility can not identify the error it 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.*
- (13) Subsection (3) - Changed additional testing and reporting from fifteen days to twenty days to coincide with Subsection (1).*
- (14) Subsection (3) - Clarified existing rule allowing the utility to appeal meter tests. Refer to Subsection 1.*

### **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. Payment agencies must clearly post and maintain regular business hours.**
- (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's Consumer Affairs Section 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, written notification is required as soon as the utility becomes aware of the closure. At a minimum, the following information is required:**
  - (a) The communities affected by the closing;**
  - (b) The date of the closing;**

- (c) A listing of other methods and facility locations available for payment of cash or urgent payments; and
  - (d) A listing of other methods and locations for obtaining business office and customer service center services.
- (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 subsection (1) and later 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.*
- (10) *Subsection (3) - Added companies may provide electronic notice of business office closures to the commission's Consumer Affairs Section.*

**480-100-XX8 Electric customer notification requirements (THIS IS THE LATEST DRAFT. WE ARE WAITING FOR FINAL DECISION ON THIS RULE)**

This section sets out requirements in specific circumstances for notices that utilities must provide to customers when utilities ask for approval from the commission. This section does not contain the notice requirements for other proposals set for hearing to increase any rate or charge, or to establish a banded tariff that includes an increased maximum rate (see WAC 480-80-125, Notice by utilities to customers concerning hearing), or for utilities that file an application to merge or consolidate any franchises, property, or facilities with any other utility (see WAC 480-143-210, Transfer customer notice requirement).

A utility may request an exemption from this section in accordance with WAC 480-100-XX1, Exemptions from rules.

**(1) Customer notice before commission action:**

- (a) Each affected customer must receive at least thirty days notice before the requested effective date when a utility proposes to:
  - (i) Increase recurring monthly rates;

- (ii) Restrict access to services (e.g. discontinuing a service, limit access to service by imposing a new usage level on existing services);
- (b) Content of notice for increases in recurring monthly rates. Each customer notice must include, at a minimum:
  - (i) Date the notice is issued;
  - (ii) Utility name and address;
  - (iii) A clear explanation of the reason(s) the utility has requested the rate change (e.g. increase in labor costs, recovery of new plant investment, and increased office expenses, such as postage and customer billing);
  - (iv) A comparison of current and proposed rates by service;
  - (v) An example showing the monthly increase of an average customer's bill based on the proposed rates (e.g. A Based on the proposed rates, a typical electric-heat customer using an average of 1,500 kwhs per month would see an average monthly increase of \$10.38);
  - (vi) When the rates will be billed (i.e., monthly or bi-monthly);
  - (vii) Requested effective date and, if different, the implementation date;
  - (viii) A statement that the commission has the authority to set final rates that may vary from the utility's request, and may be either higher or lower depending on the results of the investigation;
  - (ix) A description of how customers may contact the utility if they have specific questions or need additional information about the proposal; and
  - (x) Public involvement language. A utility may chose from (A) commission-suggested language, or (B) utility-developed language.

**(A) Commission-suggested language:**

If you would like to comment on this proposal, it is important for you to do so now. Comments must be submitted in writing or presented in person at the commission's open public meeting. If you have questions or you would like to be added to the mailing list for this case, you may contact the Washington Utilities and Transportation Commission at P.O. Box 47250, Olympia, WA 98504-7250; 1-800-562-6150; [comments@wutc.wa.gov](mailto:comments@wutc.wa.gov); or 360-664-3604(fax);

or

**(B) Utility-developed language must include the commission's mailing address and toll-free number (1-800-562-6150), and a brief explanation:**

**(I) How to participate in the commission's process by mailing or faxing a letter or submitting an e-mail ([comments@wutc.wa.gov](mailto:comments@wutc.wa.gov)); and**

**(II) How to contact the commission for process questions or to be notified of the scheduled open meeting at which the proposal will be considered by the commission;**

**(c) Methods of notice permitted:**

- (i) Bill insert;
- (ii) Bill message;
- (iii) Printing on back of the billing envelope; or
- (iv) A separate mailing to all affected customers.

**(2) Customer notice after final commission action**

Utilities should note that this subsection includes items from the commission's open public meeting agenda which includes the "no action" agenda.

(a) Each affected customer must receive notice on the first bill after final commission action when a utility increases rates for:

- (i) Non-recurring charges (e.g. late payment fees, non-sufficient funds fees, and other one-time charge);
- (ii) Local taxes;
- (iii) Conservation program rates;

(b) Content of notice: At a minimum, notice after final commission action must include:

- (i) The effective date;
- (ii) A clear description of changes to rates or services; and
- (iii) A utility contact number where customers may seek additional information;

(c) Methods of notice permitted:

- (i) Bill insert;
- (ii) Bill message;
- (iii) Printing on back of the billing envelope; or
- (iv) A separate mailing to all affected customers.

**(3) Commission assistance on customer notice.** The commission's public affairs office is available to:

- (a) Assist utilities with customer notice questions;
- (b) Review draft customer notice language; and
- (c) Offer suggestions on draft customer notice language. If a utility would like assistance, it must submit a draft notice for review, at least two working days before the planned printing date.

**(4) Final copy of the customer notice.** A copy of the final customer notification must be mailed to the commission's public affairs office at the same time the notice is issued to the affected customers.

**(5) Other customer notice.** The commission may require notification to customers other than the one described in this section when the commission determines that additional customer education is needed.

***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 that 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 ratemaking 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 that 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. Subsection (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 480-146 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 480-146 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.*

**480-90-xx10 Purchased gas adjustment (Gas only)**

(1) A purchased gas adjustment (PGA) clause is an accounting and rate adjustment procedure that gas utilities use to recover actual gas costs. Gas utilities must file with the commission for recovery of expected gas cost changes and amortization of accumulated book balances.

(2) A gas utility must include its PGA procedures in its tariff.



(3) A gas utility must make a PGA filing within a maximum of fifteen months since the effective date of the utility's last PGA. If the utility believes that a PGA filing is unnecessary within this time frame, it must file supporting documents within thirteen months since the effective date of its last PGA, demonstrating why a rate change is not necessary.

(4) A gas utility must accrue interest, compounded monthly, on deferred gas cost balances which accrue subsequent to the effective date of this rule at the previous quarter's average prime interest rate calculated as follows: the arithmetic mean of the prime rate values published in the Federal Reserve Bulletin for the fourth, third, and second months preceding the first month of the calendar quarter (also known as the "FERC interest rate").

(5) A gas utility must file a monthly report of the activity in account 191, Unrecovered Purchased Gas Costs, for Washington, within 30 days after the end of each month. The report must show the beginning balance, monthly entry, and ending balances for each Washington sub-account included in account 191, Unrecovered purchased gas costs. PGA incentive amounts must be shown separately.

**Comments:**

(1) *New rule to codify existing procedures and to require a filing at least annually (or an explanation).*

(2) *Deleted the PGA reporting requirement in 480-90-03x and included a monthly reporting requirement here (paragraph 4) in its place.*

(3) *3<sup>rd</sup> draft - Changed the filing requirement from "at least annually" to "within a maximum of fifteen months..."*

(4) *Added that interest must accrue at the "FERC" interest rate.*

## **IV. [Electric] 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 (1) (f) and (g) dealing with current transformer related adjustments in order to conform with WAC 480-100-151 Instrument Transformers.
- (5) Incorporated stakeholder suggested wording relating to test currents (TA).

## **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. [Electric] 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 (including 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 transformers are tested separately, meters must also 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) Electric utilities must keep instrument transformer test results 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.

(4) Subsections (2) and (3) revised 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.

(3) Electrical utilities must maintain in good working order, as specified by the manufacturer of such instruments, all portable indicating electrical instruments used for purposes other than determining the quality of electrical service, such as instruments primarily for the safety of workers.

(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.*  
*(4) Subsection (3) retained as written in the previous draft. This subsection is intended to underscore the need for a comprehensive maintenance program for portable indicating instruments, including those used for safety purposes.*

### **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, such as causing excessive flicker in other customers' light. Utilities are not required to monitor customers' equipment and its interactions with third party or utility equipment on an on-going basis.

**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.*

*(3) Statement added to subsection (4) providing an example of what is meant by interference with the normal operation of another customer's equipment or facilities, based on stakeholder comments.*

**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 utility 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.*

## **IV. [Gas] Metering & Standards Rules**

### **WAC 480-90-101 Heating value of gas**

- (1) A gas utility must state in its tariff the minimum heating value of gas delivered to customers. The minimum heating value of the gas must be sufficient to operate an appliance uniformly.
- (2) Testing Equipment - If a gas utility provides and maintains its own gas calorimeter, the calorimeter and accessories must be installed in a suitable area. The calorimeter and its location and accuracy must be approved by the commission.
- (3) If a gas utility does not maintain its own gas calorimeter, the utility's supplier must provide the calorimetric results to the commission on request.
- (4) A gas utility may use a calor optic indicator to determine the heat value when a mixture of liquified petroleum gas and air is used.
- (5) Testing Requirements - Each gas utility must take at least one daily heat value test of the gas supplied to its customers.
- (6) The total heating value must be stated in British thermal units per cubic foot.
- (7) The average daily heating values must be determined by taking the average of all daily heating values measured throughout the day. The average monthly heating value must be the average of all daily average values for the calendar month.
- (8) For billing purposes, the gas utility may apply the average heating value for a given month to the following month provided the procedure is written in the utility's tariff.

(9) Testing Records - Each gas utility must keep complete records of each heating value test. These records must be accessible to the commission and its authorized representatives.

(10) The utility must adopt standard forms that record the heating value, gas analysis, and specific gravity results. The forms are subject to commission approval. Each form must be retained as a record for at least two years at the station where the tests were made.

**Comments:**

(1) *Rewritten for clarity*

(2) *The term "liquified petroleum gas" was reinserted in subsection (4) to help clarify the fuel mixture.*

(3) *"For billing purposes" was added back to subsection (8) as was written in the original rule.*

**WAC 480-90-126 Meter readings**

A meter is required to record or indicate the volume of gas taken, measured in units of cubic feet or other volumetric unit. The gas utility, upon request, must supply the customer with all variables and formulas to enable the customer to compute billable units, typically therms.

**Comments:**

*Rewritten for clarity.*

**WAC 480-90-131 Meter charges (Former title "Installation of meter set assembly")**

(1) A gas utility will make no charge for furnishing and installing a standard meter required to determine the customer's bill for gas service in accordance with the utility's filed tariff. The utility may charge for additional meters or metering equipment requested by the customer or required by the utility's tariff for services beyond determining the customer's bill.

(2) A meter will not be required on flat rate service.

**Comments:**

(1) *Rewritten for clarity and stakeholders' comments.*

(2) *Amended to clarify that the utility can charge for special (additional) metering equipment (i.e. telemetry - [need to tariff]).*

**480-90-136 Meter set assembly location**

(1) The customer must furnish a convenient and unobstructed location to install the meter set assembly that is acceptable to the gas utility.

(2) A meter set assembly may include a meter, regulator, valve, and adjacent components. The meter set assembly must be accessible to the utility to read, inspect, repair, test, and make changes.

(3) Residential and commercial meter set assemblies should be installed outside at the building wall. All meter set assemblies should be placed, whenever possible, away from doors, windows, building overhangs, intake ducts, and other outside areas where gas can accumulate and migrate into buildings. When it becomes necessary to locate meters away from the building wall or inside buildings, the gas utility must keep a record of these meter set assemblies, including in such record the location, installation date, and leak history. Utilities must submit copies of such records to the commission upon request.

(4) The meter set assembly must be protected with a protective barrier whenever damage by vehicles or marine traffic is likely to occur.

**Comments:**

*(1) This rule was rewritten for clarity and three sections were added that mimic the accepted industrial gas standards for meter placement. The first standard addresses placement of the meter set assembly away from areas where gas can migrate into buildings. Equipment can and eventually will fail. This part of the rule makes adjustment for equipment failure. It is a standard practice within the gas industry to place equipment away from these areas. However, when it becomes impossible to do so, another location can be chosen.*

*(2) Generally, meter set assemblies should be located outdoors and against the building wall. In the event a residential or commercial meter must be placed elsewhere, a record must be kept of all such installations.*

*(3) The third standard addresses damage to meters in areas where they would be vulnerable to vehicular accidents.*

**480-90-141 Meter identification**

Gas 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, along with the utility's name or initials.

**Comments:**

*Rewritten for clarity.*

**WAC 480-90-146 Initial accuracy of meters**

(1) Each meter must be in good mechanical shape and adjusted to read as accurate as practical before being placed in service. Meters are required to be free of leaks and deliver gas without noticeable fluctuation due to mechanical operation of the meter.

(2) The gas utility must seal all meters in service or use a sealing method acceptable to the commission.

**Comments:**

*Rewritten for clarity.*

**WAC 480-90-151 Metering tolerance**

A meter must not deviate more than two percent fast or slow at each test rate.

**Comments:**

*Rewritten for clarity.*

**WAC 480-90-166 Statement of meter test procedures**

(1) The gas utility must include a statement in its tariff describing its practice under these rules covering:

(a) The description of test methods used and frequency of tests for determining the meter accuracy. The description must include, but is not limited to:

- (i) Test group detail and selection procedures.
  - (ii) Performance standard details for meters that exceed the maximum allowable tolerance for slow as well as fast meters.
  - (iii) The corrective action and time period that will be implemented.
  - (iv) Reference to an industry standard such as ANSI C12.1 or ANSI/[isrt]ASQC-Z1.9 that will establish acceptable criteria for numerical analysis;
- (b) The description of meter testing equipment and accuracy determination methods;
- (c) The name of the testing laboratory making meter tests if gas companies do not maintain meter testing equipment; and
- (d) The testing and adjustment program of meters prior to installation and periodic tests after installation.

(2) If a gas utility changes any portion of the meter test procedure, the utility must submit a revised tariff.

**Comments:**

*The rule has been rewritten for clarity only.*

**WAC 480-90-171 Frequency of periodic meter tests**

(1) The minimum periodic test interval for gas meters, other than orifice meters is:

- (a) For meters with capacity up to 3,000 cubic feet per hour - every 10 years;
- (b) For meters with capacity 3,000 cubic feet per hour and over - every 5 years.
- (2) The minimum periodic test interval for orifice meters is:
  - (a) For differential gauges - at least once each three months;
  - (b) For orifice plate - at least once each year
- (3) A meter sampling program may be implemented by the utility in lieu of the basic periodic test interval as provided for under WAC 480-90-166, Statement of meter test procedures.

**Comments:**

*Rewritten for clarity. No other changes were made to this rule.*

**WAC 480-90-176 Meter history records**

- (1) Gas utilities must establish records showing the history of each meter purchased and installed. Each record 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 date of purchase;
  - (b) Gas utility's identification number;
  - (c) Type, model, or series of meter; and
  - (d) Current meter location.
- (2) The utility must maintain the meter history from the meter's last shop maintenance and "out proof test" through service, removal and "in proof test," plus six months. The records are subject to approval of the commission and must contain, at a minimum, the following information:
  - (a) Date and nature of repairs;
  - (b) Date and results of the "out proof test;"
  - (c) Date and results of the "in proof test;"
  - (d) Date, location, and index reading when placed in service;
  - (e) Date, location, and index reading when removed from service; and
  - (f) Date, complainant's name and address, and results of any complaint test(s) made while the meter was in service.
- (3) Over hauled meters that meet new meter standards may be retired and re-enter the system as new meters.

**Comments:**

*Eliminates the manufacturer's number and takes into account recommendations from stakeholders.*