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November 26, 2012

***VIA: Electronic Mail***

David Danner  
Executive Director and Secretary  
Washington Utilities & Transportation Commission  
1300 S. Evergreen Park Drive S. W.  
P.O. Box 47250  
Olympia, Washington 98504-7250

Re: Comments on the Draft Rule from Avista Utilities - Docket No. PG-120345

Dear Mr. Danner:

On October 24, 2012, the Washington Utilities and Transportation Commission (Commission) filed with the Code Reviser a Notice of Proposed Rulemaking (CR-102) to establish requirements for gas pipeline operators to report data and documentation to the Commission of damage to pipeline facilities in violation of Chapter 19.122 RCW. The Commission filed the CR-102 in the above referenced Docket.

The 2011 Legislature amended the underground utilities law, Chapter 19.122 RCW.<sup>1</sup> These changes take effect on January 1, 2013. This new law assigns authority to the Commission to enforce compliance with the underground utilities law as it relates to pipelines. The Commission has initiated rulemaking regarding additional reporting requirements and damage to facilities caused by excavators that have violated the underground utilities law.

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<sup>1</sup> The Underground Utility Damage Prevention Act (E2SHB-1634), was passed unanimously by the Legislature and signed by the Governor on May 5, 2011.

The Commission received written comments on its CR-101 on May 25, 2012 and additional comments on August 17, 2012. In addition, Commission staff held a workshop with interested stakeholders on May 10, 2012. As a result of the written comments and the stakeholder workshop, Commission staff has developed a rule for review and has requested comments on the rule. Avista is supportive of the rule as it is written and appreciates Commission staff incorporating input from previous comments and the workshop to appease the Company's previous concerns.

Again, Avista is committed to facilitating a successful implementation of the new Underground Utilities Law and appreciates the opportunity to be involved in discussions and provide written comments regarding the reporting rules contained within WAC 480-93.

If you have any questions regarding these comments, please contact David Howell at 509-495-8719 or myself at 509-495-4975.

Sincerely,

*/s/Linda Gervais*

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