

Chapter 480-80

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

Docket No. U-991301

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1 **I. GENERAL RULES**

2
3
4 **Amend**

5 **480-80-010 Application of rules.**

6 (1) The rules in this chapter apply to any public service company that is subject to the
7 jurisdiction of the commission as to rates and services under the provisions of RCW
8 80.04.010, chapter 80.28 RCW and chapter 80.36 RCW.

9 (2) The tariff, price list, and contract provisions filed by public service companies
10 must conform with these rules. If the commission accepts a tariff, price list, or contract
11 that conflicts with these rules, the acceptance does not constitute a waiver of these
12 rules unless the commission specifically approves the variation consistent with WAC
13 480-80-0X1 (Exemptions from rules in chapter 480-80 WAC). Tariffs, price lists, or
14 contracts that conflict with these rules without approval are superseded by these rules.

15 (3) Any affected person may ask the commission to review the interpretation of
16 these rules by a public service company or customer by posing an informal complaint
17 under WAC 480-09-150 (Informal complaints), or by filing a formal complaint under
18 WAC 480-09-420 (Pleadings and briefs--applications for authority—protests).

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

21 (5) On or after the effective date of these rules any tariff, price list, or contract
22 currently on file and in effect, or pending, is not required to be refiled to comply with
23 these rules

24
25 ~~(1) These rules shall apply to any public service company, defined as such by the laws~~
26 ~~of the state of Washington, as amended, operating a gas, electric, telecommunications,~~
27 ~~water or irrigation plant which is subject to the jurisdiction of the Washington utilities and~~
28 ~~transportation commission as to rates and service.~~

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

32 ~~(3) In no case shall any utility deviate from these rules unless authorized in~~
33 ~~writing by the commission.~~

34 ~~(4) Competitively classified telecommunications companies previously granted~~
35 ~~exemptions from chapter 480-80 WAC Utilities General—Tariff are not exempt from~~
36 ~~WAC 480-80-035 Price lists and WAC 480-80-325 Contract for service. Exemptions~~
37 ~~from the provisions of chapter 480-80 WAC include only the provisions in effect at the~~
38 ~~time the exemption was granted.~~

39
40 **Comments:**

41 *1. Revisions reflect common language adopted in other rulemakings.*

42
43
44 **New Section**

45 **480-80-0X1 Exemptions from rules in chapter 480-80.**

46 (1) The commission may grant an exemption from the provision of any rule in this
47 chapter, if consistent with the public interest, the purposes underlying regulation, and
48 applicable statutes.

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

52 (3) The commission will assign the request a docket number, if it does not arise
53 in an existing docket, and will schedule the request for consideration at one of its
54 regularly scheduled open meetings or, if appropriate under chapter 34.05 RCW, in an
55 adjudication. The commission will notify the person requesting the exemption, and
56 other affected persons, of the date of the hearing or open meeting when the
57 commission will consider the request.

58 (4) In determining whether to grant the request, the commission may consider
59 whether application of the rule would impose undue hardship on the petitioner, of a
60 degree or a kind different from hardship imposed on other similarly situated persons,
61 and whether the effect of applying the rule would be contrary to the purposes of the rule.

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

64 (6) Competitive telecommunications companies previously granted exemptions
65 from chapter 480-80 WAC Utilities general – Tariffs are not exempt from Part I. General
66 rules and Part III. Price lists and contracts: Competitive companies and services.
67 Exemptions from the provisions of chapter 480-80 WAC include only the provisions in
68 effect at the time the exemption was granted. This subsection confirms that there is no
69 change in exemptions previously granted to telecommunications companies that have
70 been classified as competitive as a result of:

71 (a) Moving rules between Chapter 480-80 and Chapter 480-120; and

72 (b) Renumbering sections within Chapter 480-80 and Chapter 480-120.

73

74 ***Comments:***

75 *1. Reflects common language adopted in other rulemakings.*

76

77

78 **Amend**

79

79 **480-80-020 Saving clause. Additional requirements.**

80 (1) These rules do not relieve any public service company from any of its duties and
81 obligations under the laws of the state of Washington.

82 (2) The commission retains the authority to impose additional or different
83 requirements on any public service company in appropriate circumstances, consistent
84 with the requirements of law.

85

86 ~~These rules shall not be construed as affecting the validity of any presently effective~~
87 ~~tariff provisions or pending tariff revisions. Attention shall be given by each utility to~~

88 ~~bringing presently effective tariffs into compliance with these rules so that all tariffs shall,~~
89 ~~within a reasonable period of time, conform as to tariff arrangement.~~

90

91 **Comments:**

92 1. *Reflects common language adopted in other rulemakings.*

93

94

95 **New Section**

96 **480-80-0X2 Severability.**

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

100

101 **Comments:**

102 1. *Reflects common language adopted in other rulemakings.*

103

104

105 **Amend**

106 **480-80-030 Definitions.**

107 ~~(1) "Utility," when used in these rules, means any person, partnership, firm or~~
108 ~~corporation operating a gas, electric, telecommunications, water or irrigation plant which~~
109 ~~is subject to the jurisdiction of the commission as to rates and service.~~

110 ~~(2) "Commission," when used in these rules, means the Washington utilities and~~
111 ~~transportation commission.~~

112 ~~(3) "Tariff," as used in these rules, shall mean the complete tariff or any portion~~
113 ~~thereof containing those rate schedules and rules and regulations relating to charges~~
114 ~~and service which is regularly established under and in accordance with these rules and~~
115 ~~regulations relating to charges and service which is regularly established under and in~~
116 ~~accordance with these rules and regulations and the applicable statutes and which is~~
117 ~~applied to specific groups of customers within any particular territory but shall exclude~~
118 ~~special contracts for special rates, service and facilities.~~

119 ~~(4) "Banded tariff," as used in these rules means a tariff filed by a~~
120 ~~telecommunications company in which at least one element of the rate schedule (WAC~~
121 ~~480-80-230) is a band consisting of a maximum and minimum rate within which the rate~~
122 ~~may vary.~~

123 ~~(5) "Number," "numbers," "numbered" and "numbering," when used in these~~
124 ~~rules, means either a letter of the alphabet or a numeral unless otherwise specifically~~
125 ~~indicated.~~

126 The definitions in this section apply throughout the chapter unless the context clearly
127 requires otherwise:

128 "Advice number" means a number assigned by the applicant to a tariff filing or
129 contract filing for internal tracking purposes.

130 "Banded rate" means a rate that has a minimum and maximum rate.

131 “Commission” means the Washington utilities and transportation commission.

132 “Competitive telecommunications company” means a telecommunications
133 company that has been classified as competitive by the commission pursuant to RCW
134 80.36.300.

135 “Noncompetitive telecommunications company” means every
136 telecommunications company that has not been classified as competitive by the
137 commission.

138 “Price list” means a telecommunications company's standard offer to the
139 general public or to other telecommunications companies of one or more intrastate
140 telecommunications services that the commission has determined to be subject to
141 effective competition.

142 “Public service company” means every gas company, electric company,
143 telecommunications company, water company, or irrigation plant that is subject to the
144 jurisdiction of the commission as to rates and service.

145 “RCW” means the Revised Code of Washington.

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

150 “Telefacsimile” or “fax” means the transmittal of electronic signals over
151 telephone lines for conversion into written text.

152 “Utility” means every public service company that has not been classified as
153 competitive by the commission.

154 “WAC” means the Washington Administrative Code.

155

156

157 **New Section**

158 **480-80-0X3 Delivery of tariff, price list, and contract filings.**

159 (1) The commission will accept a tariff, price list, or contract filing delivered in person, by
160 mail, fax, or (when procedures are in place) electronic means. The commission will
161 stamp a filing received on Saturdays, Sundays, and state holidays, or after 5:00 p.m.,
162 Pacific time, as received on the next business day.

163 (2) In person or by mail.

164 (a) In order to be deemed received on a given day, the commission records
165 center must receive an original and two copies of the filing(s) and a transmittal letter by
166 5:00 p.m., Pacific time.

167 (b) A filing delivered by mail must be free from all charges for postage. The
168 commission records center will return any postage-due filing to the sender.

169 (3) Fax filing.

170 (a) The commission must receive an original and two copies of the filing the
171 following business day.

172 (b) The commission will use the date and time the fax filing is received and
173 printed at the records center as the official file date.

174 (c) The commission records center must receive a faxed filing in its entirety by
175 5:00 p.m., Pacific time, Monday through Friday, except on state holidays, to be
176 considered received on that business day.

177 (4) Electronic filing.

178 (a) An electronic filing must conform to commission procedures for electronic
179 filing.

180 (b) After accepting an electronic filing, the commission will return an electronic
181 mail message noting the receipt date.

182
183
184

185 **II. TARIFFS and CONTRACTS: Utilities**

186
187
188

New Section

189 **480-80-1X1 Tariff requirements.**

190 (1) A utility that is required to have a tariff on file with the commission must file and
191 maintain its tariff(s) as required in the RCW's and WAC's.

192 (2)(a) A utility that provides more than one kind of service, such as electric,
193 water, or gas, must file a separate tariff for each service type.

194 (b) Each tariff must have an official designation number, printed as WN U-
195 number. Subsequent tariff designations must be sequentially numbered in ascending
196 order.

197
198
199

New Section

200 **480-80-1X2 Tariff content.**

201 The tariff must include:

202 (1) **Title page.** The first sheet of the tariff must contain the following information:

203 (a) Tariff number;

204 (b) The cancelled tariff number, when applicable;

205 (c) The types of services covered by the tariff;

206 (d) An identification of the territory to which the tariff applies;

207 (e) Effective date of the sheet; and

208 (f) The complete name, address, phone number, unified business identifier (UBI)
209 number, and if available, the electronic mail address and web page address of the
210 issuing utility.

211 (2) **Index or table of contents.** The second section of the tariff must be
212 updated, when applicable, whenever a tariff sheet is added, revised, or cancelled. It
213 must include:

214 (a) Tariff number;

215 (b) Name of the utility issuing the tariff;

216 (c) Effective date of the revised index or table of contents sheet; and

217 (d) A complete and accurate list of the contents of the tariff.
218 (3) Legend of Symbols. This section must identify all symbols used in the tariff
219 to identify changes resulting from the filing of the specific sheet change. The list must
220 include the required symbols and their meanings, and any other utility-specific symbol
221 with its meaning consistent with the requirements identified in WAC 480-80-1X5(4).
222 (4) Rules section. The rules section sets forth the conditions governing services
223 under the tariff.
224 (a) The rules section must include the following, when applicable:
225 (i) Application for service;
226 (ii) Definition of service;
227 (iii) Reconnection charge;
228 (iv) Service connection;
229 (v) Installation of meters;
230 (vi) Distribution main or line extension unless specified
231 in a rate schedule;
232 (vii) Responsibility for, and maintenance of, distribution plant and
233 service lines;
234 (viii) Access to premises;
235 (ix) Interruptions to service;
236 (x) Bills;
237 (xi) Deposits;
238 (xii) Delinquent accounts;
239 (xiii) Discontinuance of service; and
240 (xiv) The method the utility will use to give notice to its customers of
241 changes within the limits of a banded rate.
242 (b) Gas companies must also include the requirements set out in:
243 (i) WAC 480-90-233 (purchased gas adjustment) (may be included in rules
244 section or rates section);
245 (ii) WAC 480-90-303 (heating value of gas); and
246 (iii) WAC 480-90-343 (statement of meter test procedures).
247 (c) Electric companies must also include the requirements set out in WAC 480-
248 100-343 (statement of meter test procedures).
249 (d) Rules for specific services may be included in either the rate schedule section
250 or the rules section.
251 (5) Rate schedule section.
252 (a) Rate schedule sheets must include the following, when applicable:
253 (i) Schedule number;
254 (ii) A title that accurately describes the service;
255 (iii) Availability;
256 (iv) The rates to be paid for the service;
257 (v) Any special terms or conditions associated with the service or the
258 calculation of rates to be paid for the service.
259 (b) Noncompetitive telecommunications companies must also provide the
260 following information, when applicable, based upon the type of service offered:
261 (i) Exchange service rate schedules that include:

- 262 (A) Primary rate schedules;
- 263 (B) Private branch exchange rate schedules;
- 264 (C) Miscellaneous rate schedules; and
- 265 (D) Exchange area maps.
- 266 **(ii) Inter-exchange service rate schedules** that include:
- 267 (A) Basic rate schedules;
- 268 (B) Supplementary rate schedules; and
- 269 (C) List of toll points.

271 **Comments:**

- 272 1. *Removes the requirement to include telegraph rate schedules as Staff believes it*
- 273 *is no longer applicable.*
- 274 2. *Removes the requirement for Base Rate Maps.*

275

276 **New Section**

277

278 **480-80-1X3 Tariff format.**

279 **(1) Tariff sheet format.**

- 280 (a) A utility must clearly print or type all tariffs on eight and one-half inch by
- 281 eleven-inch paper, with at least one-half inch margins on each side.
- 282 (b) The tariff sheet must include a blank space at least two inches wide and one
- 283 and one-half inches high in the upper right hand corner of the sheet for commission use.
- 284 (c) Tariff sheets filed electronically must meet the requirements set forth in the
- 285 applicable commission procedures.
- 286 **(2) Sheet requirements.** Each tariff sheet must specify:
- 287 (a) The designated tariff number;
- 288 (b) The tariff sheet revision number;
- 289 (c) The name of the utility issuing the tariff; and
- 290 (d) The effective date.
- 291 **(3) Sheet numbering.** Each tariff sheet must have a unique sheet number.
- 292 (a) The utility must designate the initial tariff sheet as the "original sheet."
- 293 (b) All subsequent revisions must be in sequential order and indicate the
- 294 cancellation of the superseded sheet as follows:

295

296 On the first revision, designate the sheet as:

297 FIRST REVISION OF SHEET

298 CANCELLING

299 ORIGINAL SHEET

300

301 On the second revision, designate the sheet as:

302 SECOND REVISION OF SHEET

303 CANCELLING

304 FIRST REVISION OF SHEET

305

306 (d) Each tariff revision sheet must use consecutive revision numbers and indicate
307 the cancellation of the superseded sheet.

308 (e) A utility may reuse revision numbers assigned to sheets that were rejected or
309 withdrawn for subsequent tariff changes.

310 (f) A utility may not reuse sheet numbers assigned to tariff sheets that are
311 canceled and removed from the tariff during the life of the tariff unless the utility
312 specifies that the sheet is reserved for future use.

313 (g) A utility may assign sheet numbers to sheets intended for future use.

314

315 ***Comments:***

316 *1. Adds a requirement for a blank rectangle in the upper right hand corner of the*
317 *tariff for commission use.*

318

319

320 **New Section**

321 **480-80-1X4 Transmittal letter.**

322 (1) A utility must submit a transmittal letter with all tariff and contract filings. The
323 transmittal letter must:

324 (a) Identify all new tariffs or contracts, or identify the tariff and contract changes;

325 (b) Explain in understandable terms why the tariff or contract filing is being
326 submitted;

327 (c) Specify the changes requested in clear and concise terms and define any
328 acronyms used;

329 (d) Refer to the commonly-used name of the service, the advice number, if
330 known, and the docket number, if applicable;

331 (e) Include the advice number if the utility uses consecutively numbered advice
332 letters;

333 (f) Describe the general effect of, and reasons for, tariff or contract filings
334 involving only text changes; and

335 (g) Describe which services are affected, and the dollar amount and percentage
336 of increase or decrease if the filing is a rate change. If a combination of changes is filed
337 (i.e. increases and decreases), each change should be described, as well as the net
338 effect on company revenues.

339 (2)(a) When the tariff sheets are submitted without a signature, the utility must
340 include a statement certifying that the submitting person has authority to issue tariff
341 revisions on behalf of the utility.

342 (b) When the tariff sheets are submitted with a signature, such signature
343 constitutes a certification that the person signing the tariff sheet has the authority to
344 issue the tariff sheets on behalf of the utility.

345

346

347 **New Section**

348 **480-80-1X5 Tariff filing instructions.**

349 (1) A tariff filing must:

350 (a) Comply with statutory notice requirements;

351 (b) Specify the requested effective date of the tariff sheet;

352 (c) Include an original and two copies of each tariff sheet unless it is filed

353 electronically; and

354 (d) Be accompanied by a transmittal letter in compliance with the provisions of
355 WAC 480-80-1X4.

356 (2) Tariff filings must comply with the requirements set forth in chapter 480-09
357 WAC, where applicable.

358 (3) The tariff filing must include information sufficient to determine that the
359 proposed tariff is fair, just, and reasonable.

360 (4) **Tariff symbols.** Each time a tariff sheet(s) is revised, a utility must
361 code all changes with the tariff symbol that best reflects the purpose and effect of the
362 change. A utility:

363 (a) Must locate the symbols on the right hand side of the changed text directly
364 across from the change;

365 (b) Must use the following list of symbols to signify:

366

D - discontinued rate, service, regulation or condition;

368 **N** - new rate, service, regulation, condition or sheet;

369

I - a rate increase;

371 **R** - a rate reduction;

372

C - changed condition or regulation;

373

K - that material has been transferred **to** another sheet in the tariff (A
376 footnote is required on the tariff sheet to identify the material's new
377 sheet number.);

378 **M** - that material has been transferred **from** another sheet in the tariff (A
379 footnote is required on the tariff sheet to identify the material's former
380 sheet number.);

381

T - a change in text for clarification;

382

O - no change (This symbol is discretionary unless specifically requested
385 by the commission.); and

386

387 (c) May use additional symbols for other purposes when it has identified the
388 symbols in its tariff as provided for in WAC 480-80-1X2(3).

389 (5) If the commission issues an order directing a utility to refile all or a portion of
390 its tariff, the utility must refile marking each affected sheet with the docket number.

391 (6) A utility must not give effect to revised tariff sheets until the commission
392 approves the tariff filing by issuing an order or the new or changed provisions become
393 effective by operation of law.

394 (7) When a tariff sheet(s) becomes effective, the commission will return one copy
395 of the transmittal letter and one copy of each tariff sheet to the utility marked with the
396 receipt date.

397 (8) The commission may require a utility to refile the tariff in its entirety should
398 circumstances warrant it.

399 (9) If the commission issues an order directing a utility to refile its tariff, the utility
400 must refile marking each affected tariff sheet with the docket number.

401
402

403 **Comments:**

404 1. *Allows a company to create and use an additional symbol that may be unique to*
405 *the company's tariff.*

406 2. *Staff suggests removing the requirement for an issued date. This date is*
407 *confusing. Commission Staff needs to know the date the tariff is received by the*
408 *Commission. Originally it was thought the issued date would serve this purpose, but*
409 *the company would have no way of knowing what that would be when the tariff is*
410 *sent by mail. Instead, the issued date has been the date the company prepares its*
411 *tariff. This date is not meaningful for the Commission.*

412
413

414 **New Section**

415 **480-80-1X6 Substitute tariff filings.**

416 (1) A utility may file substitute tariff sheets within a pending tariff filing if:

417 (a) There is no material change to the terms and conditions of service contained
418 in the pending tariff sheet. This restriction does not apply to changes made to address
419 commission concerns with the filing;

420 (b) The change does not increase the rates contained in the pending tariff sheet;
421 or

422 (c) The change is to make typographical corrections to the pending tariff sheet.

423 (2) A utility submitting substitute sheets must include a transmittal letter as set
424 forth in WAC 480-80-1X4. The substitute filing must include the notation "Do Not
425 Redocket."

426 (3) The commission retains discretion to reject any substitute tariff sheets where
427 doing so is in the public interest.

428
429

429 **Comments:**

430 1. *New rule proposed to reflect current procedures.*

431
432

433 **Amend 480-80-045**

434 **480-80-0451X7 Filing of banded tariffs. Banded rate tariff filings.**

435 **(1) Noncompetitive telecommunication companies.** Noncompetitive
436 telecommunications companies may file banded rate tariffs. ~~Such banded~~ When a
437 noncompetitive telecommunications company files for a banded rate tariff, the filings
438 must, at a minimum, be accompanied with the following:

439 (1a) A statement detailing how the public interest will be better served by
440 supporting the use of a banded rate tariff rather than a tariff with fixed rates;

441 (2b) A verifiable cost of service study supporting the contention that the minimum
442 rate in the banded rate tariff covers the cost of the service. Costs will be determined
443 under a long-run incremental cost analysis, including the price charged to other
444 telecommunications companies for any essential function used to provide the service, or
445 any other commission-approved cost method; and

446 (3c) Information detailing the revenue impact of the proposed banded rate tariff.

447 **(2) Electric and gas companies.** Electric and gas companies may file banded
448 rate tariffs for any nonresidential electric or gas service that is subject to effective
449 competition from energy suppliers not regulated by the commission. When an electric
450 or gas company files for a banded rate tariff, the filings must, at a minimum, be
451 accompanied with the following:

452 (a) A statement detailing how the banded rate tariff will serve the public interest
453 at least as well as a tariff with fixed rates;

454 (b) A verifiable cost of service study supporting the contention that the minimum
455 rate in the banded rate tariff covers all costs resulting from providing the service and
456 provides a contribution to fixed costs; and

457 (c) Information detailing the revenue impact of the proposed banded rate tariff.

458

459 ***Comments:***

460 *1. Identifies minimum filing requirements for telephone, electric, and gas banded*
461 *rate tariff filings.*

462

463

464 **Amend 480-80-070**

465 **480-80-0701X8 Tariff changes with statutory Statutory notice.**

466 (1) The commission must receive tariff changes not less than thirty days in advance of
467 the requested effective date as required by RCW 80.28.060 and RCW 80.36.110.

468 Noncompetitive telecommunications companies that meet the requirements of RCW
469 80.36.110(2) may file with ten days' notice to the commission.

470 (2) The statutory notice period begins on the date the commission receives the
471 tariff filing, in accordance with WAC 480-80-0X3.

472

473 ~~Except as otherwise hereinafter provided by law or rule, a tariff that is received by the~~
474 ~~commission too late to give the commission, as well as the public, the full thirty days'~~
475 ~~notice required by law will be returned to the sender. When any tariff is issued as to~~
476 ~~which the commission and the public are not given statutory notice, the tariff has the~~
477 ~~same status as if the tariff had not been issued and full statutory notice must be given~~

478 on any reissuance thereof. ~~[Part moved to -1X9]~~ No consideration will be given to
479 telephone and telegraph notices in computing the thirty days' notice required. Tariffs or
480 tariff revisions submitted by telefacsimile transmission will be accepted: ~~Provided, That~~
481 they comply with all other requirements imposed by statute or rule, and that the signed
482 original and the required number of copies of such tariff or tariff revisions are delivered
483 to the secretary of the commission the following business day. Facsimiles shall be
484 deemed filed at the date and time the facsimile is received and printed in the offices of
485 the commission. Tariffs received on Saturdays, Sundays and holidays or after 5:00
486 p.m. shall be considered as having been received on the following business day.

487
488
489

Amend 480-80-240

480-80-2401X9 Tariff changes with less Less than statutory notice.

491 (1) The commission may allow tariff changes to become effective with less than
492 statutory notice (LSN) when the utility provides good cause. A utility filing for LSN
493 treatment may use an LSN form provided by the commission, or by submitting a
494 transmittal letter that includes the following information:

495 (a) Utility information:

496 (i) Name and address of utility;

497 (ii) Telephone number, e-mail address, and facsimile number; and

498 (iii) Name of contact person for the filing.

499 (b) Tariff identification information:

500 (i) Number of the tariff being amended;

501 (ii) Title of the tariff item(s) being amended, if applicable; and

502 (iii) Number of the tariff sheet being amended.

503 (c) Concise description of the changes being proposed;

504 (d) Reason(s) for requesting LSN handling; and

505 (e) Effective date requested.

506 (2)(a) When the tariff sheets are submitted without a signature, the utility must
507 include a statement certifying that the submitting person has authority to issue tariff
508 revisions on behalf of the utility.

509 (b) When the tariff sheets are submitted with a signature, such signature
510 constitutes a certification that the person signing the tariff sheet has the authority to
511 issue the tariff sheets on behalf of the utility.

512 (3) A utility requesting LSN must file tariff sheets with an effective date that
513 reflects the required statutory notice period.

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

516

517 ~~(1) On every tariff that is to become effective on less than thirty days' statutory notice~~
518 ~~L.S.N. by permission or by regulation or order of the commission, if it is not otherwise~~
519 ~~excluded from that requirement, notation must be made on the tariff that it is issued~~
520 ~~under special permission or by order of the commission as follows:~~

521 ~~(a) By authority of W.U.T.C. L.S.N. Order No.~~

522 (b) By authority of order of the Washington utilities and transportation
523 commission, Cause No.U-

524
525 Note: ~~The commission will not accept a tariff for L.S.N. action unless the cover letter under which the tariff~~
526 ~~is filed clearly and prominently specifies that the tariff is submitted to become effective in less than~~
527 ~~thirty days.~~
528

529 ~~(2) Tariffs providing (a) rates for service, etc. not previously rendered and~~
530 ~~covered by the utility's tariff, (b) revisions which reflect no basic change affecting the~~
531 ~~public, (c) changes in banded rates as to which notice to customers has been or will be~~
532 ~~given in accordance with tariff rules applicable to such service, or (d) initial tariffs not~~
533 ~~affecting regulated service, may become effective on a minimum of one day's notice.~~

534 ***[subsection 2 moved to -1X8]***

535 ~~(3) Requests for permission to change tariffs on less than statutory notice will be~~
536 ~~granted by the commission only when it deems that circumstances or conditions fully~~
537 ~~justify the lack of notice. A complete explanation with reasons for the request is required~~
538 ~~with the tariff revision. The revision shall bear an effective date not less than thirty days~~
539 ~~after the revision is filed with the commission. All notices relating to the revision shall~~
540 ~~contain, in addition to the minimum requirements set forth above, a statement to the~~
541 ~~effect that the utility is seeking an earlier effective date than the inserted effective date~~
542 ~~by means of an L.S.N. Order, which date is (date sought). If the commission grants~~
543 ~~the request, it will alter the inserted effective date to conform with the authorized~~
544 ~~effective date. The utility shall then alter the effective date on the tariff revision which is~~
545 ~~on file at its listed business offices in the territory affected thereby and on all posted~~
546 ~~notices relative thereto, to show the effective date that the commission has approved.~~
547 ~~The alterations shall cite the applicable L.S.N. Order. The altered posted notice shall~~
548 ~~remain posted until the date originally inserted as the revision's effective date.~~

549
550 ***Comments:***

- 551 *1. Eliminates the requirement to post the LSN notice in business offices.*
552 *2. Provides an option to use a Commission LSN form.*
553

554
555 **New Section**

556 **480-80-1X10 Tariff changes that do not require statutory notice.** *[from -240(2)]*

557 (1) A utility must file with the commission tariff changes that do not require statutory
558 notice at least one day before the effective date.

559 (2) Tariff changes that do not require statutory notice include:

560 (a) Initial tariffs filed by a newly regulated utility;

561 (b) A filing for a service not previously contained within a regulated utility's
562 existing tariff;

563 (c) A tariff change that does not affect the public; and

564 (d) A change in a banded rate when notice to customers has been or will be
565 given in accordance with tariff rules applicable to the service.
566

567 **Comments:**
568 1. Clarifies that initial tariffs do not require statutory notice.

569
570
571 **New Section**

572 **480-80-1X11 Failure to provide statutory notice.** [from -070]

573 Except as provided under WAC 480-80-1X9, a tariff filing issued without the required
574 statutory notice to the commission and the public has the same status as if the tariff
575 filing had not been issued. A utility must give full statutory notice on any reissued tariff
576 filing. The commission will promptly notify the utility in writing when a tariff filing is
577 rejected for failure to provide statutory notice, but failure to notify the utility will not affect
578 the status of the tariff filing.

579
580
581 **New Section**

582 **480-80-1X12 Withdrawing a tariff filing.**

583 (1) When withdrawing a filing a utility must submit a letter that includes the following
584 information:

- 585 (a) The name and address of the utility;
586 (b) Docket number;
587 (c) Advice number, if applicable;
588 (d) The name of the contact person for the withdrawal; and
589 (e) An explanation of why it is requesting the withdrawal.

590 (2)(a) When the tariff sheets are submitted without a signature, a utility must
591 include a statement certifying that the submitting person has authority to issue tariff
592 revisions on behalf of the utility.

593 (b) When the tariff sheets are submitted with a signature, such signature
594 constitutes a certification that the person signing the tariff sheet has the authority to
595 issue the tariff sheets on behalf of the utility.

596
597 **Comments:**

598 1. Identifies information needed to withdraw a filing.

599
600
601 **Amend 480-80-300**

602 **480-80-3001X13 ~~Rejection of tariffs~~ Rejecting tariff changes.**

603 The commission will reject any tariff change that reflects retroactive rate treatment. The
604 commission may reject any tariff change that does not comply with commission rules.

605
606 A tariff that is received in a form or filed in a method not in accordance with the form or
607 method of tariff publication named in these tariff rules or that reflects retroactive rate

608 ~~treatment will be rejected by the commission and that tariff will have the same status as~~
609 ~~if it had not been issued and full statutory notice must be given on any reissue thereof.~~

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612

Amend 480-80-250

613 **480-80-2501X14 Tariff adoption Adoption notice and restrictions.**

614 (1) A utility must file a tariff adoption notice with the commission when either of the
615 following changes affect an existing tariff:

616 (a) Transfer of all or part of the operating control or ownership; or

617 (b) Utility name change.

618 (2) The acquiring utility must file the tariff adoption notice if there is a change in
619 ownership or operating control. The surviving utility must file the tariff adoption notice if
620 there is a name change.

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

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627

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

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

629 (5) In the event of a change in control or ownership, as described above, the
630 utility adopting the tariff must file to incorporate the adopted tariff in its own tariff within
631 sixty days of the date of the filing of the adoption notice. In the event of a name change
632 the time limit is one year.

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

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

636 and

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

638

639 ~~(1) In case of a change of ownership, or when a utility or portion thereof is transferred~~
640 ~~from the operating control of one utility to that of another or when the name of the utility~~
641 ~~is changed, the utility thereafter operating, if it intends to use the tariff of the former~~
642 ~~operating utility, shall, for each tariff so used, issue and file with the commission and~~
643 ~~shall, at the same time, post for thirty days at its listed business offices and its payment~~
644 ~~agencies in the area affected thereby, an adoption notice substantially as follows:~~

645 ~~—(Name of utility)— hereby adopts, ratifies, and makes its own in every respect,~~
646 ~~as if the same had been originally filed by it, all tariffs, rules, notices, concurrences,~~
647 ~~provisions, authorities, power of attorney or whatsoever other instruments filed with the~~
648 ~~Washington utilities and transportation commission or its predecessors by —(Name of~~
649 ~~old utility)— prior to —(Date)—, the beginning of its possession. By this notice, it also~~
650 ~~adopts and ratifies all supplements or amendments to any of the above tariffs, etc.~~
651 ~~which have heretofore been filed with the Washington utilities and transportation~~
652 ~~commission or its predecessors.~~

653 This notice may be filed and made effective on one day's notice. A similar
654 adoption notice must be filed by a receiver when assuming control and possession of a
655 utility's facilities.

656 (2) ~~Until such time as an adopted tariff is refiled in the name of the utility which~~
657 ~~adopted same, all revisions thereto, subsequent to adoption, will bear at the top part of~~
658 ~~the sheet in the appropriate place the name of the utility whose tariff was adopted and~~
659 ~~at the bottom part of the sheet after "issued by" the name of the utility which adopted~~
660 ~~said tariff and is issuing the revision of the tariff. An adopted tariff may not be adopted~~
661 ~~by another.~~

662
663 **Comments:**

- 664 1. *Removes language referring to "if it intends to use the tariff of the former*
665 *operating utility."*
- 666 2. *Removes the requirement to post the adoption notice. Notification is addressed*
667 *in the new proposed consumer rules.*
- 668 3. *Extends the time period for incorporating an adopted tariff into the new utility's*
669 *tariff due to a name change from 60 days to one year.*
- 670 4. *Combines 480-80-250 and 480-80-260 into one rule.*
- 671 5. *Removes the second utility adoption restriction.*

672
673
674 **Amend 480-80-320**

675 **480-80-3201X15 Discontinuance of Discontinuing a tariffed service or services.**

676 ~~When a utility desires to discontinue discontinuing a service or services, it shall a utility~~
677 ~~must file a cancellation of the particular applicable tariff sheets in the same manner as~~
678 ~~required by WAC 480-80-1X1. to be discontinued or file a revised tariff omitting the~~
679 ~~particular item or items discontinued accompanied by advice referring to the~~
680 ~~items discontinued and the reason therefor. Such filing of cancellations shall be~~
681 ~~subject to full thirty days' statutory notice, unless made effective by a without~~
682 ~~statutory notice order, and shall be subject to all other provisions with respect to~~
683 ~~tariff filings. The commission will handle discontinuation filings in the same manner and~~
684 ~~in accordance with the provisions governing all other tariff filings.~~

685
686
687 **Amend 480-80-325 Effective 5/5/01 480-120 027was repealed and subsequently**
688 **adopted as 480-80-325. Includes part of -326.**

689 **480-80-1X16 Contract for service Service contract.**

690 (1) A utility may use service contracts when its tariff requires certain assurances from
691 the customer for a specific service level such as a commitment to a minimum period of
692 service.

693 (2) If the utility chooses to use service contracts, the utility must provide the
694 commission with samples of the service contracts.

695 (a) Electric, gas, and water companies must provide the commission with
696 samples of all service contracts currently in use.

697 (b) Noncompetitive telecommunications companies must provide the commission
698 with samples of current service contracts within five days after a request by the
699 commission.

700
701 ~~Whenever the classification of service under which the customer is to be served~~
702 ~~requires that such service shall be taken for a specified minimum period a contract may~~
703 ~~be executed. A sample copy of each typical contract form currently in use by the utility~~
704 ~~shall be submitted to the commission and the commission shall be notified when any~~
705 ~~change other than a minor deviation is made in these forms.~~

706 ~~Any contract with an information provider shall require that the information~~
707 ~~provider, in any institutional advertising or promotion, state prominently in such~~
708 ~~advertising the cost to the customer.~~

709
710 **Comments:**

711 *(1) Revised to recognize stakeholders' observations that a written contract may be*
712 *required in circumstances other than in connection with specified minimum*
713 *periods for service.*

714 *(2) Reduces the requirement to "upon request" for telecommunications companies*
715 *only.*

716
717

718 **Amend 480-80-330**

719 **480-80-3301X17 Special contracts for telecommunications companies not**
720 **classified as competitive Telecommunications contracts.**

721 (1) Contracts to be filed. Noncompetitive telecommunications companies must file with
722 the commission:

723 (a) All contracts for retail sale to end-use customers of intrastate
724 telecommunications services not classified as competitive that:

725 (i) State rates, charges, prices, terms, or conditions that are not consistent
726 with any existing tariff; or

727 (ii) Provide for telecommunications services not specifically addressed in
728 the noncompetitive telecommunications company's existing tariffs.

729 (b) Any significant modification of a previously executed contract will be treated
730 as a new contract.

731 (c) A service order made pursuant to a filed contract is not itself a contract or
732 contract amendment and need not be filed with the commission.

733 (2) Duration. All contracts must be for a stated time period.

734 (3) Ratemaking disclaimer. Unless otherwise provided by the commission,
735 approval of contracts will not be determinative with respect to the expenses and
736 revenues of the company for subsequent ratemaking considerations.

737 (4) Types of telecommunications contracts. The following types of
 738 telecommunications contracts have special or unique features, effective dates, and
 739 requirements:

740 (a) Federal, state, and local government “firm bid” contracts are governed under
 741 subsection (5).

742 (b) School, library, and rural health care provider contracts entered into pursuant
 743 to 47 CFR, Part 54, are governed under subsection (6).

744 (c) All other retail contracts are governed under subsection (7).

745 (b) School, library, and rural health care provider contracts entered into pursuant
 746 to 47 CFR, Part 54, are governed under subsection (6).

747 (c) All other retail contracts are governed under subsection (7).
 748

SUMMARY COMPARISON OF THE DIFFERENT TYPES OF RETAIL CONTRACTS			
Subsection	Contract Type	When to File	Effective Date
(5)	Federal, State, and Local Firm Bid	no later than 15 days after acceptance	when filed or later as specified
(6)	47 CFR Part 54; Schools, Libraries, & RHCs	no later than 15 days after acceptance	when filed or later as specified
(7)	All other retail contracts	no later than 30 days prior to the proposed effective date	at least 30 days after filing

749 (5) Federal, state, and local government “firm bid” contracts - filing requirements
 750 and effective dates. Where a government agency asserts its authority to solicit a firm
 751 offer of services, and a contract subject to this section is submitted in response to that
 752 solicitation, the noncompetitive telecommunications company must file the contract with
 753 the commission no later than fifteen days after acceptance. The filing must include the
 754 same documentation as required for approval by subsection (7) of this section. The
 755 contract will become effective at the time specified in the contract, but not earlier than
 756 when filed with the commission.

758 (6) School, library, and rural health care provider contracts - filing requirements
 759 and effective dates. A telecommunications company that enters into a contract to
 760 provide service to a school, library, or rural health care provider, as part of the federal
 761 universal service program, must file the contract with the commission no later than
 762 fifteen days after acceptance by the administrator of the federal universal service
 763 program. The filing must include the same documentation as required for approval by
 764 subsection (7) of this section. The contract will become effective at the time specified in
 765 the contract, but not earlier than when filed with the commission.

766 (7) All other retail contracts - standard filing requirements and effective dates.

767 (a) Contracts must be filed with the commission not less than thirty days before
768 the proposed effective date of the contract.

769 (b) Each application filed for commission approval of a contract must:

770 (i) Include a complete copy of the proposed contract;

771 (ii) Show that the contract meets the requirements of RCW 80.36.170
772 (Prohibiting unreasonable preference) and RCW 80.36.180 (Prohibiting rate
773 discrimination);

774 (iii) Demonstrate, at a minimum, that the contract charges cover the
775 company's cost of providing the service. Costs will be determined under a long-run
776 incremental cost analysis, including the price charged by the offering company to other
777 telecommunications companies for any essential function used to provide the service, or
778 any other commission-approved cost method.

779 (iv) Summarize the basis of the charge(s) proposed in the contract and
780 explain the derivation of the proposed charge(s) including all cost computations
781 involved; and

782 (v) Indicate the basis for using a contract rather than a filed tariff for the
783 specific service involved.

784 (c) Contracts will become effective on the effective date stated on the contract or
785 thirty days after the filing date, whichever occurs later, unless suspended or rejected by
786 the commission. The commission may approve an earlier effective date, in which event
787 the contract shall not become effective on a date that precedes commission approval.
788 A request for an earlier effective date must include a complete explanation of why an
789 earlier effective date is appropriate.

790 (8) Confidentiality. Filings under this section may be submitted with portions
791 designated "confidential" pursuant to WAC 480-09-015. However, any filing that
792 designates as "confidential" the essential terms and conditions will be rejected by the
793 commission as not in compliance with the public inspection requirement of RCW
794 80.36.100. Essential terms and conditions are:

795 (a) Nature, characteristics, and quantity of the service provided;

796 (b) Duration of the contract, including the stated effective date, ending date, and
797 any options to renew;

798 (c) Charge(s) for service, including minimum charge provisions; and

799 (d) Geographic location(s), such as exchange or city, where service will be
800 provided.

801
802 ~~(1) Contracts to be filed. All contracts with end use customers for the retail sale of~~
803 ~~regulated intrastate telecommunications services which contain or state rates or~~
804 ~~conditions not in conformance with any applicable tariff or which provide for~~
805 ~~telecommunications services which are not specifically addressed in the~~
806 ~~telecommunications company's published tariffs shall be filed with the commission in~~
807 ~~accordance with this section. For purposes of this section the modification of a~~
808 ~~previously executed contract will be treated as a new contract. This section shall not~~
809 ~~apply to contracts which offer services subject to a price list filed pursuant to WAC 480-~~
810 ~~420-027.~~

811 ~~(2) Application. This section shall apply prospectively to all contracts as defined~~
812 ~~in subsection (1) of this section executed after the effective date of this section.~~

813 ~~(3) Time for filing and effectiveness. With the exception of firm bid contracts~~
814 ~~allowed under subsection (4) of this section, each contract shall be filed with the~~
815 ~~commission in accordance with this subsection. A contract which does not qualify for~~
816 ~~treatment under subsection (4) of this section shall be filed with the commission not less~~
817 ~~than thirty days prior to the proposed effective date of the contract, and shall become~~
818 ~~effective according to its terms unless earlier approved or rejected by the commission:~~
819 ~~*Provided*, That upon application and for good cause shown, the commission may~~
820 ~~approve the contract as of an effective date prior to the date that the contract would~~
821 ~~have become effective in accordance with this section.~~

822 ~~(4) Federal contracts. Where a federal agency asserts its authority to solicit a~~
823 ~~firm offer of services and a contract subject to this section is submitted in response to~~
824 ~~that solicitation, the provisions of subsection (3) of this section will not apply. Upon the~~
825 ~~acceptance of such a contract offer by the federal agency, the telecommunications~~
826 ~~company shall immediately file the contract with the commission and must include the~~
827 ~~same documentation required for approval by subsection (5) of this section.~~

828 ~~(5) Documentation. Each contract and substantial contract modification filed~~
829 ~~pursuant to this section shall be accompanied by documentation to show that the~~
830 ~~contract does not result in undue or unreasonable discrimination between customers~~
831 ~~receiving like and contemporaneous service under substantially similar circumstances;~~
832 ~~and provides for the recovery of all costs associated with the provision of the services.~~
833 ~~In addition, the telecommunications company shall file the following information in~~
834 ~~conjunction with each contract submitted:~~

835 ~~(a) A statement summarizing the basis of the rate or charge proposed in the~~
836 ~~contract and an explanation of the derivation of the proposed rate or charge;~~

837 ~~(b) An explanation of all cost computations involved in arriving at the derivation of~~
838 ~~the level of the rate or charge in the contract; and~~

839 ~~(c) A statement indicating the basis for the use of a contract rather than a filed~~
840 ~~tariff for the specific service involved.~~

841 ~~(6) Duration of contract. All contracts shall be for a stated time period.~~

842 ~~(7) Confidentiality. Filings under this section may be submitted with portions~~
843 ~~designated "confidential" pursuant to WAC 480-08-015. However, any filing which~~
844 ~~designates as "confidential" the essential terms and conditions will be rejected by the~~
845 ~~commission.~~

846 ~~(8) Federal universal service contracts with schools, libraries, and rural health~~
847 ~~care providers pursuant to 47 CFR, Part 54. When a telecommunications company~~
848 ~~enters into a contract to provide service to a school, library, or rural health care provider,~~
849 ~~as part of the federal universal service program, the telecommunications company must~~
850 ~~file the contract if the rates, terms, or conditions of the prediscouted contract service~~
851 ~~depart from the tariff. The contract must be filed immediately upon acceptance by the~~
852 ~~administrator of the federal universal service program. The filing must include the same~~
853 ~~documentation required for approval by subsection (5) of this section. The contract~~
854 ~~shall become effective immediately upon filing with the commission, or at such later time~~
855 ~~as is specified in the contract.~~

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Comments:

- 1. Clarifies current requirements.
- 2. Makes a generic imputation standard more explicit, see subsection (7)(b)(iii).

Amend 480-80-335

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480-80-3351X18 Special contracts for electric, water, and natural gas companies.

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

- (a) State charges or conditions that do not conform to any existing tariff; or
- (b) Provide for utility services not specifically addressed in the utility's electric, water, or gas company's existing tariffs.

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

(3) Essential terms and conditions of all contracts filed pursuant to this section are considered a part of the utility's electric, water, or gas company's filed tariffs and are subject to enforcement, supervision, regulation, control, and public inspection as such. ~~The provisions of this chapter will apply except for those provisions governing the filing, notice, and form of tariffs, including those stated in WAC 480-80-060 through 480-80-320.~~

(4) Filing and effective dates. The contract will become effective on the effective date stated on the contract or thirty days after the filing date, whichever occurs later, unless suspended or rejected by the commission. The commission, ~~for good cause shown,~~ may approve an earlier effective date. In no, in which event may a the contract shall not become effective on a date that precedes commission approval. The A request for an earlier effective date must include a complete explanation of why an earlier effective date is appropriate.

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

- (a) Include a complete copy of the proposed contract;
- (b) Show that the contract meets the requirements of RCW 80.28.090 (~~P~~prohibiting unreasonable preference) and RCW 80.28.100 (~~P~~prohibiting rate discrimination);

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

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

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

(6) All contracts must be for a stated time period, except for contracts for water

899 line extensions. The commission may approve terms and conditions that prescribe the
900 charge(s) to be applied during the time period, if such charge(s) are found to be
901 appropriate. Unless otherwise provided by the commission, such approval will not be
902 determinative with respect to the expenses and revenues of the utility electric, water, or
903 gas company for subsequent ratemaking considerations.

904 (7) Filings under this section may be submitted with portions designated
905 "confidential" pursuant to WAC 480-09-015. However, any filing that designates the
906 essential terms and conditions of the contract as "confidential" shall be rejected by the
907 commission as not in compliance with the public inspection requirement of RCW
908 80.28.050. Essential terms and conditions are:

- 909 (a) Identity of the customer;
- 910 (b) Nature and characteristics of the service provided, including interruptible, firm,
911 or peak delivery;
- 912 (c) Duration of the contract, including any options to renew;
- 913 (d) Charge(s) for service, including minimum charge provisions;
- 914 (e) Geographic location where service will be provided; and
- 915 (f) Additional obligations specified in the contract, if any.

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917 **Comments:**

- 918 1. *Updates revised WAC reference numbers and definitions.*

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922 **III. PRICE LISTS and CONTRACTS: Competitive Companies and Services**

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925 **~~480-80-035 Price Lists.~~**

926 ~~(1) Pursuant to RCW 80.36.310 telecommunications services classified by the~~
927 ~~commission as competitive will be offered under price lists. All services of competitive~~
928 ~~telecommunications companies as classified by the commission under RCW 80.36.310~~
929 ~~will be offered under price lists.~~

930 ~~(2) All price lists filed with the commission must describe the service being~~
931 ~~offered and all prices, charges, terms, and conditions pertaining thereto. Each page~~
932 ~~of every price list shall contain, in general, the company name, the page number,~~
933 ~~and the effective date. All subsequent revisions of a price list shall bear consecutive~~
934 ~~revision numbers. Price lists must provide sufficient detail for customers and~~
935 ~~potential customers reasonably to determine what is being offered and what charges~~
936 ~~the customer incurs in obtaining the service.~~

937 ~~(3) Contracts (including modifications to previously executed contracts) for~~
938 ~~services which are governed by this section may be offered subject to the~~
939 ~~requirements of this subsection.~~

940 ~~(a) Contracts of companies classified "competitive" under RCW 80.36.310~~
941 ~~shall be filed with the commission not later than five business days after execution.~~

942 A contract filed pursuant to this subdivision will not be rejected by the commission in
943 the absence of competent evidence that the contract is unlawful.

944 (b) Contracts which offer services classified as "competitive" under RCW
945 80.36.330 shall be filed with the commission at least ten days prior to the effective
946 date. Such contracts may not include both "price listed" and "tariffed" services
947 unless the tariffed services are set forth separately and offered under an approved
948 tariff or contract (see WAC 480-80-330). A contract filed pursuant to this subdivision
949 may be rejected if the telecommunications company is unable to document that the
950 price charged covered its relevant costs under either a long run incremental cost
951 analysis or a fully distributed cost analysis whichever is lower, or any other
952 commission approved cost method. A contract filed pursuant to this subdivision may
953 also be rejected upon a showing that it is otherwise unlawful. To meet its burden of
954 proving that the contract is cost-based, the company shall, at a minimum, provide
955 the following information at the time of filing:

956 (i) A statement summarizing the basis of the rate or charge proposed in the
957 contract and an explanation of the derivation of the proposed rate or charge; and

958 (ii) An explanation of all cost computations involved in arriving at the
959 derivation of the level of the rate or charge in the contract.

960 (c) All contracts filed pursuant to this subsection shall be for a stated time
961 period.

962 (d) Filings under this subsection may be submitted with portions designated
963 "confidential" pursuant to WAC 480-08-015. However, any filing which designates
964 as "confidential" the essential terms and conditions will be rejected by the
965 commission.

966 (4) Federal contracts. Where a federal agency asserts its authority to solicit a
967 firm offer of services and a contract subject to this section is submitted in response
968 to that solicitation, the provisions of subsection (3) of this section will not apply.
969 Upon the acceptance of such a contract offer by the federal agency, the
970 telecommunications company shall immediately file the contract with the commission
971 and must include the same documentation otherwise required by this section.

972 (5) Federal universal service contracts with schools, libraries, and rural health care
973 providers pursuant to 47 CFR, Part 54. When a telecommunications company
974 enters into a contract to provide competitively classified service to a school, library,
975 or rural health care provider, as part of the federal universal service program, the
976 telecommunications company must file the contract if the rates, terms, or conditions
977 of the prediscounted contract service depart from the price list. The contract must
978 be filed immediately upon acceptance by the administrator of the federal universal
979 service program. The filing must include the same documentation required for
980 approval by subsection (3)(b) of this section. The contract shall become effective
981 immediately upon filing with the commission, or at such later time as is specified in
982 the contract.

983
984 *These price list rules replace the price list portion of 480-80-035. Effective 5/5/01 480-*
985 *120-027 was repealed and subsequently adopted as 480-80-035.*

986 **480-80-2X1 Use of price lists.**

987 (1) A competitive telecommunications company may file a price list instead of a tariff to
988 offer any intrastate telecommunications service. A noncompetitive telecommunications
989 company may file a price list instead of a tariff to offer any intrastate
990 telecommunications service that has been classified as competitive under RCW
991 80.36.330.

992 (2) A telecommunications company authorized to file a price list may file a tariff
993 for a service. If a company elects to offer a competitive service by tariff, the company
994 and the service will be subject to all rules and laws applicable to fully regulated services,
995 and any waivers of rule or law otherwise applicable to competitive services or
996 competitive companies will not apply.

997

998 **480-80-2X2 Interpretation and application of price lists.**

999 (1) A price list is not a tariff and is not reviewed or approved by the commission at the
1000 time of filing. The commission will, when appropriate, investigate a price list or complain
1001 against a price list.

1002 (2) If the commission determines that a telecommunications company's price list
1003 or other offer of service is ambiguous or conflicts with other offers, it will construe the
1004 conflict or ambiguity in favor of the customer.

1005

1006

1007 **New Section**

1008 **480-80-2X3 Transmittal letter.**

1009 A telecommunications company must submit a transmittal letter with all price list and
1010 contract filings. The transmittal letter must:

1011 (1) Identify all new price lists or contracts, or identify the price list or contract
1012 changes;

1013 (2) Specify the changes requested in clear and concise terms and define any
1014 acronyms used;

1015 (3) Refer to the commonly-used name of the service, the advice number, if
1016 known, and the docket number, if applicable;

1017 (4) Include the advice number if the company uses consecutively numbered
1018 advice letters;

1019 (5) Describe which services are affected, and the dollar amount and percentage
1020 of increase or decrease if the filing is a rate change; and

1021 (6) Describe the general effect of, and reasons for, price list or contract filings involving
1022 only text changes.

1023

1024 **480-80-2X4 Price lists format and content.**

1025 (1) A price list must include, for each service in the price list, a description of the
1026 service, any limitations, terms, or conditions on the offering of that service, and all rates,
1027 charges, or prices at which the service is offered.

- 1028 (2) A price list must:
1029 (a) Plainly state the places where the offered telecommunications service will be
1030 rendered;
1031 (b) Include the effective date clearly marked on each page;
1032 (c) Conform to all applicable laws, rules, and orders. The filing of a non-
1033 conforming price list will not be deemed a waiver of the law, rule, or order. A company
1034 may not enforce a price list provision that conflicts with a law, rule, or order unless the
1035 commission waives that law, rule, or order.
1036 (3) A price list of a competitive telecommunications company may state the rates,
1037 charges, or prices as maximum amounts rather than as specific prices.
1038 (4) A price list of a noncompetitive telecommunications company offering a
1039 service classified as competitive under RCW 80.36.330 may state the rates, charges, or
1040 prices as maximum and minimum amounts rather than as specific prices. The minimum
1041 price must comply with the cost requirement in subsection (8).
1042 (5) A transmittal letter must accompany a price list filing in compliance with the
1043 provisions of WAC 480-80-2X3.
1044 (6) The rates, charges, and prices of services classified as competitive under
1045 RCW 80.36.330 must cover the cost of providing the service. Costs must be
1046 determined using a long-run incremental cost analysis, including the price charged by
1047 the offering company to other telecommunications companies for any essential function
1048 used to provide the service, or any other commission-approved cost method.
1049

1050 **480-80-2X5 Effective date of price list filings.**

- 1051 (1) Any new price list or price list change becomes effective on the later of:
1052 (a) The effective date stated in the price list;
1053 (b) Ten days after it is filed with the commission, as required by RCW
1054 80.36.320(2) and RCW 80.36.330(2); or
1055 (c) Ten days after any existing customers are provided actual notice of the
1056 change in accordance with WAC 480-120-XXX.
1057 (2) This section does not apply to the filing of initial price lists as a part of an
1058 application for registration and competitive classification under chapter 480-121 WAC.
1059

1060 **480-80-2X6 Price list availability to customers.**

- 1061 (1) Each telecommunications company offering service under a price list must maintain
1062 a complete copy of the price list on a web site accessible to the public using standard
1063 web browser software.
1064 (2) Each telecommunications company offering service under a price list must
1065 provide to any customer making a written or oral request a copy of the price list sheets
1066 applicable to that customer's service. The telecommunications company must provide
1067 the price list at no charge to the customer. This subsection does not apply if the
1068 telecommunications company makes available for public inspection, at a location within
1069 the customer's exchange, a complete copy of the price list.

1070 (3) Each telecommunications company offering service under a price list must
1071 include in each customer bill or notice:

1072 (a) The Internet address (uniform resource locator) of the web site containing its
1073 price list; and

1074 (b) The toll-free telephone number to use in requesting price list copies and a
1075 statement that there is no charge for the price list copy. If a company is not required by
1076 subsection (2) of this section to provide price list copies, it must instead provide the
1077 address, telephone number, and business hours of the location within the customer's
1078 exchange at which a complete copy of the price list is available for public inspection.

1079
1080
1081 *480-80-2X7 and 480-80-2X8 replace the contract portion of 480-80-035. Effective*
1082 *5/5/01 480-120-027 was repealed and subsequently adopted as 480-80-035*
1083

1084 **480-80-2X7 Filing contracts for services classified as competitive.**

1085 (1) This section applies to services offered by competitive telecommunications company
1086 and to any service classified as competitive under RCW 80.36.330. However, if a
1087 telecommunications company has elected, pursuant to WAC 480-80-2X1(2), to offer a
1088 competitive service by tariff, the contract rules in WAC 480-80-1X17 applicable to
1089 tariffed services apply instead.

1090 (2) A telecommunications company must file with the commission any contract
1091 with an end-user for retail intrastate telecommunications service if the service is not
1092 included in its price list or the contract contains prices, terms, or conditions other than
1093 those in its price list. A telecommunications company is not required to file a contract
1094 with prices below the maximum prices in the price list, as provided for in WAC 480-80-
1095 2X4(3), or within the maximum and minimum prices in the price list, as provided for in
1096 WAC 480-80-2X4(4), if the contract is otherwise consistent with the price list.

1097 (3) Any significant modification to a previously executed contract is a new
1098 contract and must be filed as required by this section.

1099 (4) Unless the contract includes a provision allowing the commission to reject it
1100 during the first fifteen days after it is filed, any contract required by subsection (2) to be
1101 filed with the commission will become effective on the later of (a) its stated effective
1102 date or (b) ten days after it is filed with the commission. The deadline for filing a
1103 contract that provides for commission rejection within fifteen days of filing is fifteen days
1104 after its stated effective date.

1105 (5) A telecommunications company may submit filings under this section with
1106 portions designated "confidential" pursuant to WAC 480-09-015. However, the
1107 commission will reject any filing that designates as "confidential" the essential terms and
1108 conditions of a contract as defined in WAC 480-80-1X17(8).

1109 (6) A telecommunications company filing a contract for a service classified as
1110 competitive under RCW 80.36.330 must provide information demonstrating that the
1111 contract prices comply with the cost requirement in WAC 480-80-2X4(6).
1112

1113 **480-80-2X8 Using contracts for services classified as competitive.**
1114 (1) If a competitive telecommunications company or a company offering a service
1115 classified as competitive makes an offer of service at prices, terms, or conditions other
1116 than those in its price list, and the customer accepts that offer, the company must
1117 provide the service at prices, terms, and conditions consistent with the offer. Except as
1118 provided in WAC 480-80-2X7, the company must file with the commission either a price
1119 list change or a customer contract setting out the alternative prices, terms, and
1120 conditions.
1121 (2) All contracts will be for a stated time period.
1122 (3) A contract will be enforceable by the contracting parties according to its terms
1123 even if the telecommunications company fails to file the contract where required by
1124 WAC 480-80-2X7.
1125 (4) Any contract for a service classified as competitive under RCW 80.36.330
1126 must comply with the cost requirement in WAC 480-80-2X4(6).
1127 (5) A contract must not include both "price listed" and "tariffed" services unless
1128 the tariffed services are set forth separately (see WAC 480-80-1X17).
1129
1130
1131

1132 **V. REPEALED SECTIONS**

1133

1134 **480-80-041 Tariff.**
1135 ~~Services which the commission has classified as competitive telecommunications~~
1136 ~~services, including all services offered by companies which the commission has~~
1137 ~~classified as competitive telecommunications companies, are exempted from the~~
1138 ~~requirement to file tariffs. Price lists for services exempted from the requirement to file~~
1139 ~~tariffs shall be filed in accordance with WAC 480-120-027. Price list changes must be~~
1140 ~~provided in triplicate and be accompanied by a letter of transmittal describing the~~
1141 ~~changes proposed.~~
1142

1143 ***Comments:***

- 1144 *1. Eliminates the requirement to include two extra copies with the price list filing.*
1145
1146

1147 **480-80-047 Access charges.** *[Repeal Moved to 480-120-541 in Docket U-991301,*
1148 *effective 5/5/01]*
1149
1150

1151 **480-80-048 Collective consideration of Washington intrastate rate, tariff, or**
1152 **service proposals.** *[Repeal Moved to 480-120-542 in Docket U-991301, effective*
1153 *5/5/01]*
1154

1155

1156 **480-80-049 Caller identification service.** *[Moved to 480-120-543 in Docket U-*
1157 *991301, effective 5/5/01]*

1158

1159

1160 **480-80-050 Copies of tariff to be filed.** *[Moved to -1X1]*

1161 ~~Three copies of each tariff shall be sent to the commission accompanied by a letter of~~
1162 ~~transmittal. The letter of transmittal must describe any proposed changes to existing~~
1163 ~~tariffs. One copy will then be returned to the utility by the commission, after processing,~~
1164 ~~with the receipt date noted thereon.~~

1165

1166

1167 **480-80-060 Delivery of tariff.** *[Moved to -1X1]*

1168 ~~No tariff issued by any utility will be accepted for filing, if not otherwise excepted, unless~~
1169 ~~it is delivered to the commission, free from all charges or claims for postage, the full~~
1170 ~~thirty days required by law before the date upon which such tariff is to become effective,~~
1171 ~~as noted, accompanied by a statement that public notice, as required, has been given to~~
1172 ~~the public immediately prior to or coincident with the date upon which such proposal is~~
1173 ~~transmitted to this office. No consideration will be given to the time during which a tariff~~
1174 ~~may be held for delivery charges. The issued date and the effective date must be~~
1175 ~~clearly indicated in the appropriate space on each sheet. The issued date must be a~~
1176 ~~date either prior to or coinciding with the date on the letter accompanying the tariff.~~

1177

1178

1179 **480-80-080 Tariff file at principal business office.**

1180 ~~(1) Each utility shall provide and maintain at its principal business office, currently listed~~
1181 ~~with and acknowledged by letter of the commission, a complete file of the effective tariff~~
1182 ~~which it issues or is a party to, which file will be in charge of an employee of the utility~~
1183 ~~who shall give desired information and assistance to those who may wish to consult~~
1184 ~~such file. This file shall be open and accessible to the public on the ordinary business~~
1185 ~~days and during the ordinary hours of said office.~~

1186 ~~(2) Each of the utilities whose principal business office is not in Washington shall~~
1187 ~~designate some one place in Washington, to be acknowledged by letter of the~~
1188 ~~commission, at which place such complete file shall be kept.~~

1189 ~~(3) Any utility which has not obtained written acknowledgement of its principal~~
1190 ~~business office since June 1, 1959, will be required to do so before further tariff~~
1191 ~~revisions will be entertained from that utility.~~

1192 ~~(4) There shall be kept posted by the utility, in a public and conspicuous place in~~
1193 ~~every such office, a notice not smaller than 8" x 10" in size, printed in bold type, as~~
1194 ~~follows:~~

1195

(Name of Utility)

~~A COMPLETE PUBLIC FILE OF THE TARIFFS OF THE ABOVE-NAMED UTILITY, APPLICABLE TO THIS TERRITORY, IS MAINTAINED IN THIS OFFICE AND MAY BE INSPECTED BY ANY PERSON UPON APPLICATION AND WITHOUT THE ASSIGNMENT OF ANY REASON FOR SUCH DESIRE. A REPRESENTATIVE OF THE UTILITY WILL ASSIST IN SECURING INFORMATION FROM THE TARIFFS.~~

Comments:

1. *Will be addressed in Customer Notice Rules in industry chapters: 480-090-193, 480-100-193, 480-120-043, and 480-121-X04.*

480-80-090 Tariff file at designated business offices.

~~(1) Each utility shall keep at each designated business office, currently listed with and acknowledged by letter of the commission, (this list shall contain all of the utility's offices, other than its principal business office, that are normally open to the public for the transaction of business relating to the state of Washington and to which the utility so certifies) a complete and correct copy of the tariff containing rates applicable to the territory under the jurisdiction of that office: *Provided*, That telephone and telegraph utilities will be required to keep interexchange and telegraph rates at toll checking centers only.~~

~~(2) Any utility which has not obtained written acknowledgement of its designated business offices since June 1, 1959, will be required to do so before further tariff revisions will be entertained from that utility.~~

~~(3) There shall be kept posted by the utility, in a public and conspicuous place in every such office, a notice not smaller than 8" x 10" in size, printed in bold type, as follows:~~

(Name of Utility)

~~A COMPLETE PUBLIC FILE OF THE TARIFFS OF THE ABOVE-NAMED UTILITY, APPLICABLE TO THIS TERRITORY, IS MAINTAINED IN THIS OFFICE AND MAY BE INSPECTED BY ANY PERSON UPON APPLICATION AND WITHOUT THE ASSIGNMENT OF ANY REASON FOR SUCH DESIRE. A REPRESENTATIVE OF THE UTILITY WILL ASSIST IN SECURING INFORMATION FROM THE TARIFFS.~~

1238 **480-80-100 Payment agencies.**

1239 ~~(1) In payment agencies (offices other than those of the utility but in which are located~~
1240 ~~persons authorized to receive payment for the utility's billed accounts) and in utility~~
1241 ~~offices not listed as business offices because they are not always open to the public,~~
1242 ~~there shall be kept posted by the utility in a public and conspicuous place a notice not~~
1243 ~~smaller than 8" x 10" in size, printed in bold type, as follows:~~

1244
1245 ~~(Name of Utility)~~

1246
1247 ~~A COMPLETE PUBLIC FILE OF THE TARIFFS OF THE ABOVE-~~
1248 ~~NAMED UTILITY, APPLICABLE TO THIS TERRITORY, IS~~
1249 ~~MAINTAINED IN. (NAME, ADDRESS, AND TELEPHONE~~
1250 ~~NUMBER OF NEAREST LISTED BUSINESS OFFICE~~
1251 ~~RESPONSIBLE FOR THAT SERVICE AREA) AND MAY BE~~
1252 ~~INSPECTED BY ANY PERSON UPON APPLICATION AND~~
1253 ~~WITHOUT THE ASSIGNMENT OF ANY REASON FOR SUCH~~
1254 ~~DESIRE. A REPRESENTATIVE OF THE UTILITY WILL ASSIST IN~~
1255 ~~SECURING INFORMATION FROM THE TARIFFS.~~

1256
1257 ~~(2) In lieu of the notice specified in the preceding subsection, the utility may~~
1258 ~~stamp or print on each bill or envelope in which such bill is mailed, or enclose therewith,~~
1259 ~~a statement giving the name, address and telephone number of its nearest listed~~
1260 ~~business office at which such tariffs are maintained. Commencing ninety days or earlier~~
1261 ~~from July 31, 1959 this procedure must be followed in those instances where a utility~~
1262 ~~does not have a listed business office or a payment agency in the service area.~~

1263
1264 **Comments:**

- 1265 *1. Eliminates the requirement to post a tariff availability notice at payment agencies.*

1266
1267
1268 **480-80-110 Reference to tariff file.**

1269 ~~(1) Each utility shall keep tariff files complete and in readily accessible form and shall~~
1270 ~~assist those desiring information therefrom without requiring or requesting the inquirers~~
1271 ~~to assign any reason for such desire.~~

1272 ~~(2) Every utility shall check its tariff file at each office where kept at least once~~
1273 ~~every six months.~~

1274
1275 **Comments:**

- 1276 *1. Removes the requirement to check tariff on file, in business office, once every six*
1277 *months.*

1280 **480-80-120 Notice to the public of tariff changes.** *[Moved to 480-90-193, 480-100-*
1281 *193, and 480-120-043 in Docket U-991301, effective 5/5/01]*

1282
1283

1284 **480-80-125 Notice by utility to customers concerning hearing.** *[Customer notice*
1285 *rules will move to industry chapters: 480-090-193, 480-100-193, 480-120-043, and 480-*
1286 *121-X04.]*

1287 ~~The purpose of this requirement is to ensure that customers of a utility which is~~
1288 ~~proposing a rate increase or a banded tariff which proposes an increase in the~~
1289 ~~maximum rate receive reasonable notice of the nature and the magnitude of the~~
1290 ~~proposed increase, so that the customer is able reasonably to make an informed~~
1291 ~~decision about whether to participate in the hearing process.~~

1292 ~~(1) Whenever any utility proposes to increase any rate or charge for the service~~
1293 ~~or commodities furnished by it or proposes a banded tariff which includes an increased~~
1294 ~~maximum rate, and the commission has issued an order instituting investigation~~
1295 ~~concerning such increase, the utility shall supply a statement to such customers or~~
1296 ~~classes of customers designated in the order instituting investigation that a hearing will~~
1297 ~~be held by the commission at which members of the public will be afforded an~~
1298 ~~opportunity to testify. The statement shall also set forth the amount of the proposed~~
1299 ~~increase expressed in (a) total dollars and average percentage terms, and (b) the~~
1300 ~~average monthly increases that customers in each category or subcategory of service~~
1301 ~~might reasonably expect. Categories or subcategories of service shall be identified in~~
1302 ~~tariff terms, and if those terms are different from those commonly used by the utility or~~
1303 ~~understood by customers, the notice shall incorporate that commonly used or~~
1304 ~~understood terminology. The notice shall further contain the information that a public~~
1305 ~~counsel will be appointed to represent the public and the mailing address of the~~
1306 ~~commission to which any customer inquiries to the commission or to the public counsel~~
1307 ~~relative to the public hearing date may be directed. The statement shall accompany, as~~
1308 ~~a separate document, regular bills distributed by the utility to its customers, starting with~~
1309 ~~the first billing cycle reasonably available following issuance of the commission's order~~
1310 ~~instituting investigation and continuing throughout the utility's billing cycle covering~~
1311 ~~customers of the utility as of the date of the commission's order instituting investigation.~~
1312 ~~As an alternative the utility may make a separate distribution of the statement within~~
1313 ~~thirty days following the date of the issuance of the order instituting investigation.~~
1314 ~~Whether disseminated as part of a regular billing or separately the notice shall be~~
1315 ~~prepared in such a manner as to attract attention to it and to distinguish it from other~~
1316 ~~material simultaneously distributed. A copy of such statement shall also be mailed or~~
1317 ~~delivered to at least one newspaper of general circulation, and at least one radio station~~
1318 ~~and at least one television station, in the area or each of the areas affected. The utility~~
1319 ~~shall promptly file a copy of the statement with the commission and certify it has~~
1320 ~~complied with or is in the process of complying with these mailing and delivery~~
1321 ~~requirements.~~

1322 ~~(2) The statement required by WAC 480-80-125(1) shall be in form and content~~
1323 ~~substantially as follows:~~

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IMPORTANT NOTICE

(Company) is Requesting
A Rate Increase

Washington Utilities
and Transportation
Commission

Cause No. U-.....

~~(Name of Company) has asked the Washington Utilities and Transportation Commission for permission to raise its rates by about \$... a year, or about ... percent, over present levels. A summary of the increases asked, and the kinds of service affected, (is attached) (appears below). The commission has suspended the increase and has ordered its staff to investigate the company's request. Formal hearings will be held for the company, commission staff and others to give evidence about the proposal.~~

~~The commission has ordered the company to send you this notice to tell you:~~

~~(1) One or more hearing sessions will be held just to hear members of the public who want to testify, in addition to hearings for technical or expert evidence.~~

~~(2) If you ask, the commission will send you a notice of the time and place for hearings when they are scheduled so you can attend. To get notices or for more information, call the Secretary of the Commission, in Olympia at (206) 753-6451 or write to:~~

~~Secretary
Washington Utilities and
Transportation Commission
1300 S. Evergreen Park Drive S.W.
Olympia, WA 98504-8002.~~

~~If you write, include your name and mailing address, the name of the company, and Cause No. U-.....~~

~~(3) A lawyer (has been) (will be) appointed to represent the public. You can reach this "public counsel" by calling or writing the commission at the~~

1369 address above or directly by calling or writing
1370

1371
1372 ~~(4) The rates shown here are only a request by the company. After the~~
1373 ~~hearings are over, the commission will consider the evidence. It can deny~~
1374 ~~all of the request, grant it all, or grant some of it. The commission also~~
1375 ~~has the authority to set rates that are different from the company's~~
1376 ~~request--higher or lower--for each kind of service.~~

1377
1378 Name of Company Official
1379 Title of Company Official
1380 Name of Company

1381
1382 ~~SUMMARY OF REQUESTED RATE INCREASES~~

1383
1384 Range of Requested _____ Typical
1385 Increases _____ Increase in
1386 or Increases _____ Average Bill
1387 Type of Service _____ in Unit Price _____ (Dollars)

1388
1389 ~~(Identify the tariff category, including, as needed for public understanding,~~
1390 ~~the tariff category title, the term commonly used by the company, and the~~
1391 ~~term commonly used by customers to describe the type of service~~
1392 ~~affected. Set out the information on a monthly basis. If the company's~~
1393 ~~billing cycle is not monthly, clearly explain the effect, by footnote or~~
1394 ~~otherwise, per billing cycle. If the rates vary by season or time, specify the~~
1395 ~~range and basis for variation. If the rate is charged on the basis of unit~~
1396 ~~consumption, such as energy consumption, the increase shall be stated in~~
1397 ~~a cents-per-unit or on a percentage basis for the tariff category. It shall~~
1398 ~~then as to residential customers illustrate increases in representative~~
1399 ~~consumption classifications. If the rate is charged on the basis of monthly~~
1400 ~~rate per service or per item of equipment, the increase shall be stated on~~
1401 ~~the basis of percentage increase for the classification or range of increase~~
1402 ~~within the classification, using commonly recognized representative~~
1403 ~~examples demonstrating the range and the typical effect of the increases.)~~

1404
1405 (The following shall be added, if applicable:)

1406
1407 Note: ~~The figures shown here are ranges and averages. It is not possible to set out every service or~~
1408 ~~every variation in this brief notice.~~

1409
1410 If you want to know how the company's proposal will affect you if the commission adopts it totally,
1411 call or write (telephone number and address of office or offices where customers will receive a
1412 prompt, accurate answer. Address and telephone number may be omitted if included elsewhere in
1413 the information simultaneously received by the consumer and if clearly referenced. The utility shall
1414 respond to customer inquiries no later than the close of the fifth business day following receipt of
1415 the inquiry at any of its appointed offices. Inquiries may be forwarded from branch offices to a

1416 central office or division if this is done at no cost to the consumer and if a response is generated to
1417 the consumer within the reasonable time limit).

1418
1419 ~~(3) The requirements of WAC 480-80-125 shall be in addition to such other~~
1420 ~~requirements as are imposed or may be imposed by statute or rule pertaining to notice~~
1421 ~~to the public of proposed tariff changes.~~

1422 ~~(4) Upon determination by the commission that the due and timely exercise of its~~
1423 ~~functions requires the hearing for receipt of evidence from the public to be held at a time~~
1424 ~~which makes it impracticable for the utility to comply with the requirements of WAC 480-~~
1425 ~~80-125(1), it may by letter to the utility dispense with all or part of such requirement.~~

1426 ~~(5) Failure to accomplish substantial compliance with the requirements of this~~
1427 ~~rule will subject the utility to imposition of penalties in accordance with the provisions of~~
1428 ~~RCW 80.04.405.~~

1429
1430

1431 **480-80-130 Notation of receipt of tariff by agents.**

1432 ~~Each utility shall require its agent or other representative at every office where tariffs are~~
1433 ~~required to be on file, upon receipt of a tariff or part of a tariff for filing at that office, to~~
1434 ~~make a written receipt therefor showing the date when it was received and the date~~
1435 ~~when it was filed and the utility shall keep and preserve such receipts for a period of at~~
1436 ~~least one year.~~

1437

1438 **Comments:**

1439 *(1) Eliminates record keeping requirement.*

1440

1441

1442 **480-80-140 Form of tariff sheets. [Moved to -1X3(1)]**

1443 ~~All sheets of tariffs must be clearly printed or typed on forms comparable with the~~
1444 ~~commission's standard forms. These forms shall be 8-1/2" x 11" in size and of~~
1445 ~~comparable paper to that used for utility tariff purposes by the commission. Tariff~~
1446 ~~sheets shall have sufficient space on the left margin for binding.~~

1447

1448

1449 **480-80-150 Numbering of tariffs. [Moved to -1X3(2)]**

1450 ~~When a utility supplies more than one kind of service, such as electric, water or gas, it~~
1451 ~~shall file separate tariffs for each kind of service. Each completely new tariff hereafter~~
1452 ~~filed will bear a WN U serial number and each tariff so numbered must be given the~~
1453 ~~next numerical WN U number not heretofore assigned to the utility's tariffs. The number~~
1454 ~~shall be the official designation of the tariff. The use of additional tariff designations by~~
1455 ~~the utility will be permitted.~~

1456

1457

1458 **480-80-160 General arrangement of tariff.** [*Moved to -1X2 and -1X3(3)*]
1459 ~~(1) Each utility tariff shall consist of a standard title page, a standard index page, a~~
1460 ~~complete set of rules and regulations governing service and a set of rate schedule~~
1461 ~~sheets.~~
1462 ~~(2) Each sheet of every tariff shall contain, in general, the tariff number, the tariff~~
1463 ~~sheet number, the name of the utility issuing the tariff and the issued date and the~~
1464 ~~effective date of the sheet. One copy of each sheet must bear the actual or facsimile~~
1465 ~~signature of the one authorized to issue and file tariffs.~~
1466
1467

1468 **480-80-170 Schedule designation.**
1469 ~~Scheduled numbers or letters shall be assigned so as to facilitate reference to the~~
1470 ~~schedules.~~
1471

1472 **Comments:**
1473 *1. Not necessary.*
1474
1475

1476 **480-80-180 Tariff sheet designation.** [*Moved to -1X3(4)*]
1477 ~~(1) Each sheet of every utility tariff shall bear a sheet number, each number differing~~
1478 ~~from the other. Upon the first publication of the sheet it shall be designated as original~~
1479 ~~sheet The same sheet number shall appear on all subsequent revisions of the~~
1480 ~~sheet and the revisions of the sheet shall be numbered substantially as follows:~~

1481
1482 ~~On the first revision the sheet shall be designated:~~

1483
1484 ~~FIRST REVISION OF SHEET~~
1485 ~~CANCELLING~~
1486 ~~ORIGINAL SHEET~~

1487
1488 ~~On the second revision the sheet shall be designated:~~

1489
1490 ~~SECONDREREVISIONOFSHEET~~
1491 ~~CANCELLING~~
1492 ~~FIRST REVISION OF SHEET~~

1493
1494 ~~(2) On all subsequent revisions the sheet shall bear consecutive revision~~
1495 ~~numbers and shall indicate the cancellation of the superseded sheet unless~~
1496 ~~circumstances dictate otherwise. Any tariff sheet which has been filed and which has~~
1497 ~~been subsequently withdrawn or rejected, before the expiration of statutory notice in~~
1498 ~~connection therewith or by order, shall be considered as not having been issued in the~~
1499 ~~first instance insofar as subsequent sheet numbering is concerned.~~

1500 ~~(3) No sheet, once cancelled and removed from the tariff, shall be reactivated~~
1501 ~~during the current life of the tariff with which it was associated unless it bears the~~
1502 ~~appropriate revision thereof and contains the same basic material.~~

1503
1504

1505 **480-80-190 Numbering plan for sheets.** *[Moved to -1X3(5)]*

1506 ~~In the construction of a tariff it should be remembered that it will probably be necessary~~
1507 ~~in the future to file additional rates, rules and regulations, etc. To provide a proper place~~
1508 ~~for these subsequent filings in proper relation to schedules, etc., already filed,~~
1509 ~~reservation of sheet numbers should be considered.~~

1510
1511

1512 **480-80-200 Title page.** *[Moved to -1X2(1)]*

1513 ~~(1) The title page of each tariff shall appear as the first sheet of each tariff and shall~~
1514 ~~show the tariff number, the cancelled tariff number when applicable, the name of the~~
1515 ~~utility issuing the tariff, the service offered, the territory to which the tariff applies, the~~
1516 ~~issued date and the effective date of the sheet, the complete name and address of the~~
1517 ~~issuing utility and the signature or facsimile signature and title of the one authorized to~~
1518 ~~issue the tariff.~~

1519 ~~(2) Whenever a town, city or district is added to or deleted from a territory, then the~~
1520 ~~title page of the tariff applicable to that territory shall be revised in keeping therewith and~~
1521 ~~in accordance with the specifications for the revision of sheets as set forth in these~~
1522 ~~rules.~~

1523
1524

1525 **480-80-210 Index page.** *[Moved to -1X2(2)]*

1526 ~~(1) The index page of each tariff shall appear as the second sheet of each tariff and~~
1527 ~~shall show the tariff number, the name of the utility issuing the tariff, the issued date and~~
1528 ~~the effective date of the sheet, the signature or facsimile signature and title of the one~~
1529 ~~authorized to issue the tariff and shall contain a complete and accurate list of the~~
1530 ~~contents of the tariff by schedule number, sheet title and sheet number.~~

1531 ~~(2) Whenever a new tariff sheet is added to a tariff and that sheet is not listed in~~
1532 ~~the index page of the tariff at that time then the index page of the tariff shall be revised~~
1533 ~~in accordance with these rules.~~

1534
1535

1536 **480-80-220 Rules and regulations page.** *[Moved to -1X2(4)]*

1537 ~~(1) Each utility filing a tariff or tariffs with the commission shall include, as a part of that~~
1538 ~~tariff, a complete set of rules and regulations governing service under that tariff. These~~
1539 ~~rules and regulations shall cover at least the following when applicable:~~

1540 ~~(a) Application for service~~

- 1541 ~~(b) Definition of service~~
- 1542 ~~(c) Reconnection charge~~
- 1543 ~~(d) Service connection~~
- 1544 ~~(e) Installation of meters~~
- 1545 ~~(f) Distribution main extension and line extension (except where filed as a rate~~
- 1546 ~~schedule)~~
- 1547 ~~(g) Responsibility for, and maintenance of, service~~
- 1548 ~~(h) Access to premises~~
- 1549 ~~(i) Interruptions to service~~
- 1550 ~~(j) Bills~~
- 1551 ~~(k) Deposits~~
- 1552 ~~(l) Delinquent accounts~~
- 1553 ~~(m) Discontinuance of service~~
- 1554 ~~(n) As to each service to which banded rates are applicable, the manner by~~
- 1555 ~~which the utility will give notice to its customers of changes within the limits of the band.~~
- 1556 ~~(2) Such additional rules and regulations as are necessary shall also be filed.~~
- 1557 ~~Rules and regulations shall be published on consecutively numbered standard tariff~~
- 1558 ~~sheets in accordance with these rules and revisions thereof shall be as outlined in these~~
- 1559 ~~rules.~~
- 1560

1561 **480-80-230 Rate schedule page. [Moved to -1X2(5)]**

- 1562 ~~(1) Each schedule of rates shall contain the following, when applicable:~~
- 1563 ~~(a) Schedule number and classification of service (name of locality and class of~~
- 1564 ~~service. If rate is optional, so state.)~~
- 1565 ~~(b) Kind of service (whether A.C. or D.C. Whether single phase or polyphase.~~
- 1566 ~~Voltage frequency, etc.)~~
- 1567 ~~(c) Availability~~
- 1568 ~~(d) Rate~~
- 1569 ~~(e) Minimum charge~~
- 1570 ~~(f) Discount~~
- 1571 ~~(g) All other factors entering into the computation of the bills under the schedule.~~
- 1572 ~~(2) For telephone and telegraph companies the following information shall be~~
- 1573 ~~given, when applicable:~~
- 1574 ~~(a) Exchange rate schedules to include:~~
- 1575 ~~(i) Primary rate schedules~~
- 1576 ~~(ii) Private branch exchange rate schedules~~
- 1577 ~~(iii) Miscellaneous rate schedules~~
- 1578 ~~(iv) Base rate area maps~~
- 1579 ~~(v) Exchange area maps~~
- 1580 ~~(b) Inter-exchange service rate schedules to include:~~
- 1581 ~~(i) Basic rate schedules~~
- 1582 ~~(ii) Supplementary rate schedules~~
- 1583 ~~(iii) List of toll points~~
- 1584 ~~(c) Telegraph rate schedules:~~

1585 ~~(i) Basic rate schedules~~
1586 ~~(ii) Supplementary rate schedules~~
1587 ~~(iii) List of telegraph points~~
1588 ~~(3) The rate schedules shall be published as outlined in these rules and revision~~
1589 ~~thereof shall be in accordance with these rules and shall be accompanied by supporting~~
1590 ~~data and an explanation as to the effect thereof, when applicable.~~
1591
1592

1593 **480-80-260 Tariff of acquired utility.** *[Moved to -1X12]*

1594 ~~Every utility acquiring ownership or control of another utility or portion thereof and filing~~
1595 ~~a notice adopting the rates, rules and regulations, etc. of that utility, filed with the~~
1596 ~~commission, shall within sixty days of the filing of such adoption notice, file those rates,~~
1597 ~~rules and regulations, etc. as a part of its own tariff or as a separate tariff in its own~~
1598 ~~name if it plans to continue to operate in accordance therewith. Every utility otherwise~~
1599 ~~operating under an adopted tariff shall endeavor, at least within one year of the filing of~~
1600 ~~such adoption notice, to file its rates, rules and regulations, etc. in its own name.~~
1601
1602

1603 **480-80-270 Reference to tariff.**

1604 ~~(1) The filing of tariffs with the commission does not imply that the provisions of same~~
1605 ~~are approved, unless the commission has prescribed the rates, rules and regulations or~~
1606 ~~practices in an order, and utilities must not in any way make such inference.~~
1607 ~~(2) Rates and rules and regulations prescribed by the commission in its orders~~
1608 ~~shall, in every instance, be observed by the utilities against which such orders are~~
1609 ~~entered. The utility shall duly publish, file and post the necessary tariff sheets which~~
1610 ~~shall show notation to that effect. Only those rates and rules and regulations so~~
1611 ~~prescribed will carry such notation.~~
1612
1613

1614 **480-80-280 Issuing agent.**

1615 ~~The utility shall provide the commission with a list of the officials or persons and their~~
1616 ~~titles who are authorized to issue and file tariffs in behalf of the utility and shall keep~~
1617 ~~such list current. Any utility which has not made such a list available to the commission~~
1618 ~~since June 1, 1959 will be required to do so before further tariff revisions will be~~
1619 ~~entertained from that utility.~~
1620

1621 **Comments:**

- 1622 1. *Removes the 1959 requirement.*
 - 1623 2. *Authorizing signature substituted in 0X3 in lieu of maintaining list.*
- 1624
1625

1626 **480-80-290 Suspension of tariffs.**

1627 ~~(1) When the commission suspends a utility's tariff or part of a tariff, it will enter a~~
1628 ~~suspension order setting forth the tariff or the parts of the tariff suspended. In that~~
1629 ~~circumstance, the utility affected thereby shall cause a copy of said order to be~~
1630 ~~associated with the tariff revision on file at its listed business offices and its payment~~
1631 ~~agencies and all posted notices relative thereto shall be altered to bear reference to the~~
1632 ~~terms of the order.~~

1633 ~~(2) When the commission vacates an order of suspension, it will issue an order~~
1634 ~~stating the date on which the rates, rules and regulations, etc. are to become effective, if~~
1635 ~~appropriate. In that circumstance, the utility affected thereby shall proceed as set forth~~
1636 ~~in the preceding paragraph with respect to the filed tariff revision and posted notices~~
1637 ~~and continue such filing and posting for at least thirty days from the date of filing and~~
1638 ~~posting in those cases where the order provides for changes other than those sought.~~

1639 ~~(3) The tariff sheets affected by the vacation of an order of suspension will bear~~
1640 ~~reference to said order.~~

1641

1642 **Comments:**

1643 *1. Repeal due to new consumer rules in individual chapter rules. Eliminates posting*
1644 *requirement.*

1645 *2. Statute provides authority to suspend tariffs. Team believes there is no need for a*
1646 *rule.*

1647

1648

1649 **480-80-310 Exceptions.**

1650 ~~The commission may approve other methods of filing tariffs when the nature of a utility's~~
1651 ~~operations fully warrant such permission being granted.~~

1652

1653 **Comments:**

1654 *1. Rule is not needed because "Exemptions" rule allows for other methods of filing.*

1655

1656

1657 **480-80-326 Contract for service.** *[Moved from 480-90-061 and 480-100-061 in*
1658 *Docket U-991301, effective 5/5/01.]*

1659 ~~Whenever the classification of service under which the customer or applicant is to be~~
1660 ~~served requires that such service shall be taken for a specified minimum period a~~
1661 ~~contract may be executed. **[Moved to -3X1]** A sample copy of each typical contract~~
1662 ~~form currently used by the utility shall be submitted to the commission.~~

1663

1664

1665 **480-80-340 Forms, contracts, and application samples.**
1666 ~~Samples of all forms on which bills are rendered, all forms on which items concerning~~
1667 ~~billing are listed to be conveyed to the customer, all application blanks, and all contract~~
1668 ~~forms shall be made available to the commission and shall be kept current.~~
1669
1670

1671 **480-80-350 Refiling tariffs.**
1672 ~~A utility may be required to completely refile its tariff when the commission deems a~~
1673 ~~refiling of the tariff necessary.~~
1674

1675 **480-80-360 Standard tariff forms.**
1676 ~~The commission will, upon request, furnish, at a nominal charge of two cents per sheet,~~
1677 ~~standard title sheet forms or general forms.~~
1678

1679 **Comments:**
1680 *1. The commission has tariff templates available in some industries and not in other*
1681 *industries based on the needs of the industries.*
1682 *2. The price for copies is outdated based on practice and procedures rules in*
1683 *chapter 480-09.*
1684
1685

1686 **480-80-370 Symbols.** [*Moved to -1X3(6)*]
1687 ~~Symbols shall be used to indicate the purpose and effect of all tariff material submitted~~
1688 ~~to the commission.~~
1689 ~~These symbols shall appear on the right hand side of the text to which they apply~~
1690 ~~and within the lined margin thereof.~~
1691 ~~The following list of symbols is to be used by all utilities:~~
1692
1693 ~~C - to signify changed condition or regulation~~
1694 ~~D - to signify discontinued rate, regulation or condition~~
1695 ~~I - to signify increase~~
1696 ~~K - to signify that material has been transferred to another sheet or place in the~~
1697 ~~tariff~~
1698 ~~M - to signify that material has been transferred from another sheet or place in~~
1699 ~~the tariff~~
1700 ~~N - to signify new rate, regulation, condition or sheet~~
1701 ~~O - to signify no change*~~
1702 ~~R - to signify reduction~~
1703 ~~T - to signify a change in text for clarification~~
1704

1705 * _____ The use of the symbol "O" shall be discretionary unless its use in the interest of clarity is evident or
1706 specifically requested by the commission.

1707
1708

1709 **480-80-380 Availability of rules.**

1710 ~~A copy of these rules shall be available for public inspection at each listed business~~
1711 ~~office of all utilities concerned.~~

1712
1713 ~~Preproposal Statement of Intent served December 28, 1994, Docket No. UT-941325~~
1714

1715 **Comments:**

1716 *1. Staff believes companies no longer need to be required to provide this chapter of*
1717 *rules to customers. Instead, the rights and responsibility customer brochure should*
1718 *refer the customer to the Commission website or public request desk. This chapter*
1719 *of rules is directed towards tariff processes that the company must follow rather than*
1720 *the rights of the consumer. NOTE: Public notice has been moved to the individual*
1721 *industry chapters.*

1722
1723 *Preproposal Statement of Intent served December 28, 1994, Docket No. UT-941325*
1724

1725 **480-80-390 Mandatory cost changes for telecommunications companies.** *[Moved*
1726 *to 480-120-544 in Docket U-991301, effective 5/5/01.]*