

**Chapters 480-90, 480-100, and 480-120**

# **CUSTOMER NOTICE**

**Docket No. U-991301**

**CR-102 Proposed Draft - Legislative**  
(For consideration at the November 5, 2001, CR-102 Open Meeting)

October 10, 2001

1 Chapter 480-90-193 WAC Notice to public of tariff changes.  
2 Natural Gas Utilities  
3

4 Amend  
5

6 ~~WAC 480-90-193 Notice to the public of tariff changes.~~ (1) Except as to  
7 variations between the prescribed maximum and minimum rates in banded tariffs  
8 previously authorized by the commission, every utility desiring to change, modify,  
9 cancel or annul any rate, must place on file the tariff containing such modification  
10 or change at its listed business offices in the territory affected thereby for a  
11 period of at least thirty days prior to the expiration of statutory notice in  
12 connection therewith. A notice, coincident with or immediately prior to the date of  
13 such filing, that such tariff is on file at said offices shall be posted at the cashier's  
14 windows or other places where the customers pay their bills at the aforesaid  
15 offices. Said posted notice shall give anyone viewing same a brief summary as  
16 to the content of the tariff; state that the tariff is being submitted to the  
17 Washington utilities and transportation commission at Olympia; indicate the  
18 inserted effective date thereof; and relate that a copy of the tariff is available for  
19 inspection.

20 ~~\_\_\_\_\_~~ (2) If there is no listed business office in the territory to be affected by a  
21 tariff proposal subject to this notification but there is a payment agency therein,  
22 posted notice with the same content and timing as set forth above shall be  
23 employed at each such agency which notice, in addition thereto, shall give the  
24 name, address and telephone number of the nearest listed business office  
25 responsible for that service area at which such tariff may be examined in person  
26 without assigning any reason therefor.

27 ~~\_\_\_\_\_~~ (3) In lieu of the above posted notice, insofar as payment agencies are  
28 concerned, the utility may stamp or print on each bill or envelope in which such  
29 bill is mailed, enclose therewith or separately mail, with the same content as set  
30 forth above with respect to the posted notice in payment agencies and at the  
31 earliest practicable date subsequent to filing, a notice to each subscriber to be  
32 affected by the tariff proposal. Commencing ninety days or earlier from July 31,  
33 1959, the latter procedure must be followed in those instances where a utility  
34 does not have a listed business office or a payment agency in the service area  
35 where notice, as set forth above, could otherwise be employed in a service area  
36 subject to a tariff proposal falling within this notification procedure.

37 ~~\_\_\_\_\_~~ (4) Whenever the alternative provision is chosen or must be used, the  
38 utility shall use such other adequate and appropriate means of notification, on or  
39 by the filing date, that will reasonably insure notice to the public of tariff revisions  
40 proposed and the effect on the public in the service area or areas involved. Such  
41 other notification may include personal contacts, letters or mailing pieces,  
42 newspaper articles or advertisements and radio and television announcements.

43 ~~\_\_\_\_\_~~ (5) The commission may require such other notification to the public as  
44 may be necessary in any particular case of tariff filing: Provided, That where a  
45 tariff or a part of a tariff is filed involving no increase in charges to its patrons;  
46 where the users to be affected by a tariff change are so few in number the utility

47 chooses to advise each by direct mail or contact; or where there is no one to be  
48 affected by the tariff proposal, the utility may forego posting of notice relative  
49 thereto and will not be required to have a copy of the proposed tariff available for  
50 inspection.

51 ~~\_\_\_\_\_ (6) The inserted effective date, unless otherwise directed, shall be a date~~  
52 ~~not less than thirty days after the date the commission receives the tariff. Also, if~~  
53 ~~the commission permits the tariff to become effective without statutory notice, the~~  
54 ~~period of notice to the public shall still be for at least thirty days after the date the~~  
55 ~~commission receives the tariff.~~

56 **WAC 480-90-193 Posting of tariffs for public inspection and review.**  
57 Each natural gas utility offering service under tariff must make available for public  
58 inspection and review all tariffs governing its provision of service, as required by  
59 RCW 80.28.050. To comply with this requirement, a utility must fulfill the  
60 provisions of either subsection (1) or subsection (2)

61 (1) **Web, telephone, and mail access.** The utility must:

62 (a) Maintain a complete copy of its tariff or tariffs and all proposed tariff  
63 changes on an Internet web site accessible to the public using generally  
64 available browser software;

65 (b) Provide a toll-free telephone number by which customers and  
66 applicants can obtain assistance during normal business hours from a company  
67 agent qualified to assist the customer in locating, interpreting, and applying tariff  
68 provisions;

69 (c) Upon written or oral request by any customer or applicant, deliver at no  
70 charge a copy of any current, proposed or most recently cancelled tariff page that  
71 relates to the customer's or applicant's service; and

72 (d) Include on each customer bill and notice the address of the tariff web  
73 site and the toll-free telephone number.

74 (2) **Physical access.** The utility must make available for public inspection  
75 and copying a complete copy of its tariff or tariffs, all most recently cancelled tariff  
76 sheets, and all proposed tariff changes at one or more offices in each county  
77 where it offers service, except: a single office may serve more than one county if  
78 the office is within twenty miles of all customers in the county where no tariff is  
79 posted. The utility must provide at each office either an agent qualified to assist  
80 the customer in locating, interpreting, and applying tariff provisions or access to  
81 such an agent by a toll-free telephone number.

### 82 83 **New Section**

### 84 85 **WAC 480-90-194 Publication of proposed tariff changes to increase** 86 **charges or restrict access to services.**

87 Each natural gas utility offering service under tariff must publish all proposed  
88 changes to its tariff for at least thirty days, as required by RCW 80.28.060. For  
89 any proposed tariff change that would increase recurring charges, except  
90 purchased gas adjustment (PGA) filings as provided in subsection (4), or restrict  
91 access to services (e.g., discontinue a service, or limit access to service by  
92 imposing a new usage level on existing services), a utility must fulfill the

93 requirements of either subsection (1) or subsection (2). For any other proposed  
94 tariffs, the utility must fulfill the requirements of WAC 480-90-195.

95 (1) **Notice to individual customers.** To comply under this method, the  
96 utility must, at least thirty days before the stated effective date of the proposed  
97 change, mail the posting to each customer that would be affected by the  
98 proposed change. The utility must also send the notice or a press release about  
99 the increase to every daily paper within its service territory. The posting must  
100 include the information listed in subsection (3).

101 (2) **Published notice.** To comply under this method, the company must,  
102 at least thirty days before the stated effective date of the proposed change,  
103 publish notice of the proposed change within the geographical areas where it  
104 offers service. The company must make a good faith effort to publish this  
105 information. To meet minimum publication requirements, a company must:

106 (a) Distribute copies of the published notice to community agencies and  
107 organizations in the geographic area where it offers service for posting and  
108 publication by the agency or organization. The company must include in its  
109 distribution list any agency or organization that requests these notices;

110 (b) Cause to be printed in large print, as a paid advertisement, a complete  
111 copy of the published notice in the daily newspaper of general circulation with the  
112 greatest number of subscribers in each geographic area or each of the areas  
113 affected by the proposed tariff;

114 (c) Provide to the news editor of every newspaper, television station, and  
115 radio station, in the geographic area within which it offers service a news release  
116 or public service announcement summarizing the published notice. The release  
117 or announcement must include a toll-free number that customers can use to  
118 obtain more information from the telecommunications company. The  
119 commission will maintain a list of area newspapers, television and radio stations  
120 and will provide it on request to any utility; and

121 (d) Post a complete copy of the published notice on an Internet web site  
122 accessible to the public using generally available browser software.

123 (3) **Content of postings.** The published notice required by this rule must  
124 include, at a minimum:

125 (a) The date the notice is issued;

126 (b) The utility's name and address;

127 (c) A brief explanation of the reason(s) the utility has requested the rate  
128 change (e.g., increase in labor costs, recovery of new plant investment, and  
129 increased office expenses, such as, postage and customer billing);

130 (d) A comparison of current and proposed rates by service;

131 (e) An example showing the monthly increase of the average customer's  
132 bill based on the proposed rates (e.g., "Based on the proposed rates, a typical  
133 gas customer using an average of eighty therms per month would see an  
134 average monthly increase of \$2.74.");

135 (f) When the rates will be billed (i.e., monthly or bi-monthly);

136 (g) The requested effective date and, if different, the implementation date;

137 (h) A statement that the commission has the authority to set final rates that  
138 may vary from the utility's request, which may be either higher or lower  
139 depending on the results of the investigation;

140 (i) A description of how customers may contact the utility if they have  
141 specific questions or need additional information about the proposal; and

142 (j) Public involvement language. A utility may choose from:

143 (i) Commission-suggested language that is available from the  
144 commission's designated public affairs officer; or

145 (ii) Utility-developed language that must include the  
146 commission's mailing address, toll-free number, and docket number, if known,  
147 and a brief explanation:

148 (A) How to participate in the commission's process by  
149 mailing or faxing a letter, or submitting an e-mail; and

150 (B) How to contact the commission for process questions or  
151 to be notified of the scheduled open meeting at which the proposal will be  
152 considered by the commission.

153 (4) Optional method of publication for purchase gas adjustment (PGA). A  
154 utility that publishes notice of a PGA filing pursuant to this subsection is not  
155 required to publish notice of the filing pursuant to subsection (1) or (2).

156 (a) The utility must provide notice to affected customers before and after  
157 final commission disposition. Notice before commission disposition is to educate  
158 customers of a potential increase in natural gas prices. Notice after commission  
159 disposition is to inform customers of the new rates.

160 (b) Prior PGA Notice. The notice must:

161 (i) Clearly define what a PGA is and explain how it works;

162 (ii) State whether the utility expects an increase or decrease in the  
163 upcoming filing; and

164 (iii) Include a utility contact phone number for additional information.

165 (c) The utility must mail the notice to each affected customer. The utility  
166 must also send the notice or a press release about the increase to every daily  
167 paper within its service territory.

168 (d) Method permitted for prior notice: a newsletter, bill insert, bill  
169 message, or separate mailing to customers.

170 (e) Post notice. Customer notice after final commission disposition is  
171 provided pursuant to WAC 480-90-195.

172  
173 **New Section**

174  
175 **WAC 480-90-195 Notice of tariff changes other than increases in recurring**  
176 **charges and restrictions in access to services.**

177 (1) A utility that files a tariff change to increase any charge that a customer may  
178 incur without being quoted a rate or price (e.g., late payment fees, insufficient  
179 fund charges, or a one-time charge) or any charge to pass through the effect of  
180 local taxes paid by the utility must provide notice to each affected customer on or  
181 with the first bill after the change becomes effective.

182 (a) Content of notice. At a minimum, the notice must include the effective  
183 date, a clear description of changes to rates or services and a utility contact  
184 number where customers may seek additional information.

185 (b) Methods of notice permitted include: bill insert, bill message, printing  
186 on the billing envelope, a separate mailing to all affected customers or, if the  
187 utility has the capability and the customer has authorized, by e-mail.

188 (2) A utility that files a tariff change that decreases rates, including  
189 promotions that temporarily waive recurring or non-recurring charges, or that  
190 changes terms or conditions without restricting access to the service, must  
191 publish the change in the manner it posts tariffs under WAC 480-90-193.

192  
193 **New Section**

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195 **WAC 480-90-197 Adjudicative proceedings where public testimony will be**  
196 **taken.**

197 (1) Unless otherwise ordered by the commission, for adjudicated proceedings  
198 where there is a hearing to take testimony from the public, the company must  
199 provide customer notice to each affected customer by including notices in the bill  
200 package beginning with the cycle being billed forty-five-days before the first  
201 public hearing. The timing, location, and amount of notice (if different than  
202 required above) will be addressed in the pre-hearing conference order.

203 (2) Content of notice. The notice must include all information contained in  
204 WAC 480-90-194(3), except the public involvement information in subsection  
205 (3)(j). A utility must include either of the following public involvement language:

206 (a) Commission-suggested language that is available from the  
207 commission's designated public affairs officer; or

208 (b) Utility-developed language that must include the commission's  
209 mailing address, toll-free number, docket number, and a brief explanation:

210 (i) How to participate in the commission's process by  
211 mailing or faxing a letter, or submitting an e-mail;

212 (ii) How to contact the commission for process questions; and

213 (iii) The date, time and location of the public hearing.

214 (3) Methods of notice. Methods of notice permitted include: bill insert, bill  
215 message, printing on the billing envelope, a separate mailing to all affected  
216 customers or, if the utility has the capability and the customer has authorized, by  
217 e-mail.

218 (4) Who must receive notice. In addition to each affected customer a  
219 utility must notify at least one newspaper of general circulation, and at least one  
220 radio station and at least one television station in the area or each of the areas  
221 affected.

222  
223 **New Section**

224  
225 **WAC 480-90-198 Notice verification and assistance**

226 (1) Customer notice verification. Within ten days of making a filing requiring  
227 posting, publication, or customer notice under WAC 480-90-194, WAC 480-90-

228 195, or 480-90-197, but no sooner than when the tariff is filed with the  
229 commission, a utility must file a statement with commission's records center that  
230 the required notice has been posted, published, and/or mailed. The declaration  
231 must include:

232 (a) The methods used to post, publish, and/or give notice to customers;

233 (b) When and how the notice was posted, published, and/or issued to  
234 customers;

235 (c) How many customers are affected; and

236 (d) A copy of the notice.

237 (2) Commission assistance. A utility may request assistance from the  
238 commission's designated public affairs officer with efforts to comply with WAC  
239 480-90-193 through WAC 480-90-197.

240

241 **New Section**

242

243 **WAC 480-90-199 Other customer notice.**

244 The commission may require notice to customers of tariff changes other than  
245 those described in these rules when the commission determines that additional  
246 customer education is needed.

247

247 **Chapter 480-100-193 WAC Notice to public of tariff changes.**  
248 **Electric Utilities**

249  
250 **Amend**

251  
252 **WAC 480-100-193 Notice to the public of tariff changes.** (1) Except as to  
253 variations between the prescribed maximum and minimum rates in banded tariffs  
254 previously authorized by the commission, every utility desiring to change, modify,  
255 cancel or annul any rate, must place on file the tariff containing such modification  
256 or change at its listed business offices in the territory affected thereby for a  
257 period of at least thirty days prior to the expiration of statutory notice in  
258 connection therewith. A notice, coincident with or immediately prior to the date of  
259 such filing, that such tariff is on file at said offices shall be posted at the cashier's  
260 windows or other places where the customers pay their bills at the aforesaid  
261 offices. Said posted notice shall give anyone viewing same a brief summary as  
262 to the content of the tariff; state that the tariff is being submitted to the  
263 Washington utilities and transportation commission at Olympia; indicate the  
264 inserted effective date thereof; and relate that a copy of the tariff is available for  
265 inspection.

266 ———(2) If there is no listed business office in the territory to be affected by a  
267 tariff proposal subject to this notification but there is a payment agency therein,  
268 posted notice with the same content and timing as set forth above shall be  
269 employed at each such agency which notice, in addition thereto, shall give the  
270 name, address and telephone number of the nearest listed business office  
271 responsible for that service area at which such tariff may be examined in person  
272 without assigning any reason therefor.

273 ———(3) In lieu of the above posted notice, insofar as payment agencies are  
274 concerned, the utility may stamp or print on each bill or envelope in which such  
275 bill is mailed, enclose therewith or separately mail, with the same content as set  
276 forth above with respect to the posted notice in payment agencies and at the  
277 earliest practicable date subsequent to filing, a notice to each subscriber to be  
278 affected by the tariff proposal. Commencing ninety days or earlier from July 31,  
279 1959, the latter procedure must be followed in those instances where a utility  
280 does not have a listed business office or a payment agency in the service area  
281 where notice, as set forth above, could otherwise be employed in a service area  
282 subject to a tariff proposal falling within this notification procedure.

283 ———(4) Whenever the alternative provision is chosen or must be used, the  
284 utility shall use such other adequate and appropriate means of notification, on or  
285 by the filing date, that will reasonably insure notice to the public of tariff revisions  
286 proposed and the effect on the public in the service area or areas involved. Such  
287 other notification may include personal contacts, letters or mailing pieces,  
288 newspaper articles or advertisements and radio and television announcements.

289 ———(5) The commission may require such other notification to the public as  
290 may be necessary in any particular case of tariff filing: Provided, That where a  
291 tariff or a part of a tariff is filed involving no increase in charges to its patrons;  
292 where the users to be affected by a tariff change are so few in number the utility



293 chooses to advise each by direct mail or contact; or where there is no one to be  
294 affected by the tariff proposal, the utility may forego posting of notice relative  
295 thereto and will not be required to have a copy of the proposed tariff available for  
296 inspection.

297 ~~——(6) The inserted effective date, unless otherwise directed, shall be a date~~  
298 ~~not less than thirty days after the date the commission receives the tariff. Also, if~~  
299 ~~the commission permits the tariff to become effective without statutory notice, the~~  
300 ~~period of notice to the public shall still be for at least thirty days after the date the~~  
301 ~~commission receives the tariff.~~

302 **WAC 480-100-193 Posting of tariffs for public inspection and review.**  
303 Each electric utility offering service under tariff must make available for public  
304 inspection and review all tariffs governing its provision of service, as required by  
305 RCW 80.28.050. To comply with this requirement, a utility must fulfill the  
306 provisions of either subsection (1) or subsection (2).

307 (1) **Web, telephone, and mail access.** The utility must:

308 (a) Maintain a complete copy of its tariff or tariffs and all proposed tariff  
309 changes on an Internet web site accessible to the public using generally  
310 available browser software;

311 (b) Provide a toll-free telephone number by which customers and  
312 applicants can obtain assistance during normal business hours from a company  
313 agent qualified to assist the customer in locating, interpreting, and applying tariff  
314 provisions;

315 (c) Upon written or oral request by any customer or applicant, deliver at no  
316 charge a copy of any current, proposed or most recently cancelled tariff page that  
317 relates to the customer's or applicant's service; and

318 (d) Include on each customer bill and notice the address of the tariff web  
319 site and the toll-free telephone number.

320 (2) **Physical access.** The utility must make available for public inspection  
321 and copying a complete copy of its tariff or tariffs, all most recently cancelled tariff  
322 sheets, and all proposed tariff changes at one or more offices in each county  
323 where it offers service, except that: a single office may serve more than one  
324 county if the office is within twenty miles of all customers in the county where no  
325 tariff is posted. The utility must provide at each office either an agent qualified to  
326 assist the customer in locating, interpreting, and applying tariff provisions or  
327 access to such an agent by a toll-free telephone number.

328  
329 **New Section**

330  
331 **WAC 480-100-194 Publication of proposed tariff changes to increase**  
332 **charges or restrict access to services.**

333 Each electric utility offering service under tariff must publish all proposed  
334 changes to its tariff for at least thirty days, as required by RCW 80.28.060. For  
335 any proposed tariff change that would increase recurring or per-occurrence  
336 charges or restrict access to services (e.g., discontinue a service, or limit access  
337 to service by imposing a new usage level on existing services), a utility must fulfill

338 the requirements of either subsection (1) or subsection (2). For any other  
339 proposed tariffs, the utility must fulfill the requirements of WAC 480-100-195.

340 (1) **Notice to individual customers.** To comply under this method, the  
341 utility must, at least thirty days before the stated effective date of the proposed  
342 change, mail the posting to each customer that would be affected by the  
343 proposed change. The utility must also send the notice or a press release about  
344 the increase to every daily paper within its service territory. The posting must  
345 include the information listed in subsection (3).

346 (2) **Published notice.** To comply under this method, the company must,  
347 at least thirty days before the stated effective date of the proposed change,  
348 publish notice of the proposed change within the geographical areas where it  
349 offers service. The company must make a good faith effort to publish this  
350 information. To meet minimum publication requirements, a company must:

351 (a) Distribute copies of the published notice to community agencies and  
352 organizations in the geographic area where it offers service for posting and  
353 publication by the agency or organization. The company must include in its  
354 distribution list any agency or organization that requests these notices;

355 (b) Cause to be printed in large print, as a paid advertisement, a complete  
356 copy of the published notice in the daily newspaper of general circulation with the  
357 greatest number of subscribers in each geographic area or each of the areas  
358 affected by the proposed tariff;

359 (c) Provide to the news editor of every newspaper, television station, and  
360 radio station, in the geographic area within which it offers service a news release  
361 or public service announcement summarizing the published notice. The release  
362 or announcement must include a toll-free number that customers can use to  
363 obtain more information from the telecommunications company. The  
364 commission will maintain a list of area newspapers, television and radio stations  
365 and will provide it on request to any utility; and

366 (d) Post a complete copy of the published notice on an Internet web site  
367 accessible to the public using generally available browser software.

368 (3) **Content of postings.** The published notice required by this rule must  
369 include, at a minimum:

370 (a) The date the notice is issued;

371 (b) The utility's name and address;

372 (c) A brief explanation of the reason(s) the utility has requested the rate  
373 change (e.g., increase in labor costs, recovery of new plant investment, and  
374 increased office expenses, such as, postage and customer billing);

375 (d) A comparison of current and proposed rates by service;

376 (e) An example showing the monthly increase of the average customer's  
377 bill based on the proposed rates (e.g., "Based on the proposed rates, a typical  
378 electric customer using an average of 1,500 kwhs per month would see an  
379 average monthly increase of \$10.38.");

380 (f) When the rates will be billed (i.e., monthly or bi-monthly);

381 (g) The requested effective date and, if different, the implementation date;

382 (h) A statement that the commission has the authority to set final rates that  
383 may vary from the utility's request, which may be either higher or lower  
384 depending on the results of the investigation;

385 (i) A description of how customers may contact the utility if they have  
386 specific questions or need additional information about the proposal; and

387 (j) Public involvement language. A utility may choose from:

388 (i) Commission-suggested language that is available from the  
389 commission's designated public affairs officer; or

390 (ii) Utility-developed language that must include the  
391 commission's mailing address, toll-free number, and docket number, if known,  
392 and a brief explanation:

393 (A) How to participate in the commission's process by  
394 mailing or faxing a letter, or submitting an e-mail; and

395 (B) How to contact the commission for process questions or  
396 to be notified of the scheduled open meeting at which the proposal will be  
397 considered by the commission.

### 398 **New Section**

#### 399 **WAC 480-100-195 Notice of tariff changes other than increases in recurring** 400 **charges and restrictions in access to services.**

401 (1) A utility that files a tariff change to increase any charge that a customer may  
402 incur without being quoted a rate or price (e.g., late payment fees, insufficient  
403 fund charges, or a one-time charge) or any charge to pass through the effect of  
404 local taxes paid by the utility must provide notice to each affected customer on or  
405 with the first bill after the change becomes effective.

406 (a) Content of notice. At a minimum, the notice must include the effective  
407 date, a clear description of changes to rates or services and a utility contact  
408 number where customers may seek additional information.

409 (b) Methods of notice permitted include: bill insert, bill message, printing  
410 on the billing envelope, a separate mailing to all affected customers or, if the  
411 utility has the capability and the customer has authorized, by e-mail.

412 (2) A utility that files a tariff change that decreases rates, including  
413 promotions that temporarily waive recurring or non-recurring charges, or that  
414 changes terms or conditions without restricting access to the service, must  
415 publish the change in the manner it posts tariffs under WAC 480-100-193.

### 416 **New Section**

#### 417 **WAC 480-100-197 Adjudicative proceedings where public testimony will be** 418 **taken.**

419 (1) Unless otherwise ordered by the commission, for adjudicated proceedings  
420 where there is a hearing to take testimony from the public, the company must  
421 provide customer notice to each affected customer by including notices in the bill  
422 package beginning with the cycle being billed forty-five-days before the first  
423

427 public hearing. The timing, location, and amount of notice (if different than  
428 required above) will be addressed in the pre-hearing conference order.  
429 (2) Content of notice. The notice must include all information contained in  
430 WAC 480-100-194(3), except the public involvement information in subsection  
431 (3)(j). A utility must include either of the following public involvement language:  
432 (a) Commission-suggested language that is available from the  
433 commission's designated public affairs officer; or  
434 (b) Utility-developed language that must include the commission's  
435 mailing address, toll-free number, docket number, and a brief explanation:  
436 (i) How to participate in the commission's process by  
437 mailing or faxing a letter, or submitting an e-mail;  
438 (ii) How to contact the commission for process questions; and  
439 (iii) The date, time and location of the public hearing.  
440 (3) Methods of notice. Methods of notice permitted include: bill insert, bill  
441 message, printing on the billing envelope, a separate mailing to all affected  
442 customers or, if the utility has the capability and the customer has authorized, by  
443 e-mail.  
444 (4) Who must receive notice. In addition to each affected customer a  
445 utility must notify at least one newspaper of general circulation, and at least one  
446 radio station and at least one television station in the area or each of the areas  
447 affected.

448  
449 **New Section**

450  
451 **WAC 480-100-198 Notice verification and assistance**

452 (1) Customer notice verification. Within ten days of making a filing requiring  
453 posting, publication, or customer notice under WAC 480-100-194, WAC 480-100-  
454 195, or 480-100-197, but no sooner than when the tariff is filed with the  
455 commission, a utility must file a statement with commission's records center that  
456 the required notice has been posted, published, and/or mailed. The declaration  
457 must include:  
458 (a) The methods used to post, publish, and/or give notice to customers;  
459 (b) When and how the notice was posted, published, and/or issued to  
460 customers;  
461 (c) How many customers are affected; and  
462 (d) A copy of the notice.  
463 (2) Commission assistance. A utility may request assistance from the  
464 commission's designated public affairs officer with efforts to comply with WAC  
465 480-100-193 through WAC 480-100-197.

466  
467 **New Section**

468  
469 **WAC 480-100-199 Other customer notice.**

470 The commission may require notice to customers of tariff changes other than  
471 those described in these rules when the commission determines that additional  
472 customer education is needed.

473  
474 **Chapter 480-120-043 WAC Notice to public of tariff changes.**  
475 **Telecommunications Companies**  
476

477 **Repeal**  
478

479 ~~**WAC 480-120-043 Notice to the public of tariff changes.** (1) Except as to~~  
480 ~~variations between the prescribed maximum and minimum rates in banded tariffs~~  
481 ~~previously authorized by the commission, every utility desiring to change, modify,~~  
482 ~~cancel or annul any rate, must place on file the tariff containing such modification~~  
483 ~~or change at its listed business offices in the territory affected thereby for a~~  
484 ~~period of at least thirty days prior to the expiration of statutory notice in~~  
485 ~~connection therewith. A notice, coincident with or immediately prior to the date of~~  
486 ~~such filing, that such tariff is on file at said offices shall be posted at the cashier's~~  
487 ~~windows or other places where the customers pay their bills at the aforesaid~~  
488 ~~offices. Said posted notice shall give anyone viewing same a brief summary as~~  
489 ~~to the content of the tariff; state that the tariff is being submitted to the~~  
490 ~~Washington utilities and transportation commission at Olympia; indicate the~~  
491 ~~inserted effective date thereof; and relate that a copy of the tariff is available for~~  
492 ~~inspection.~~

493 ~~———(2) If there is no listed business office in the territory to be affected by a~~  
494 ~~tariff proposal subject to this notification but there is a payment agency therein,~~  
495 ~~posted notice with the same content and timing as set forth above shall be~~  
496 ~~employed at each such agency which notice, in addition thereto, shall give the~~  
497 ~~name, address and telephone number of the nearest listed business office~~  
498 ~~responsible for that service area at which such tariff may be examined in person~~  
499 ~~without assigning any reason therefor.~~

500 ~~———(3) In lieu of the above posted notice, insofar as payment agencies are~~  
501 ~~concerned, the utility may stamp or print on each bill or envelope in which such~~  
502 ~~bill is mailed, enclose therewith or separately mail, with the same content as set~~  
503 ~~forth above with respect to the posted notice in payment agencies and at the~~  
504 ~~earliest practicable date subsequent to filing, a notice to each subscriber to be~~  
505 ~~affected by the tariff proposal. Commencing ninety days or earlier from July 31,~~  
506 ~~1959, the latter procedure must be followed in those instances where a utility~~  
507 ~~does not have a listed business office or a payment agency in the service area~~  
508 ~~where notice, as set forth above, could otherwise be employed in a service area~~  
509 ~~subject to a tariff proposal falling within this notification procedure.~~

510 ~~———(4) Whenever the alternative provision is chosen or must be used, the~~  
511 ~~utility shall use such other adequate and appropriate means of notification, on or~~  
512 ~~by the filing date, that will reasonably insure notice to the public of tariff revisions~~  
513 ~~proposed and the effect on the public in the service area or areas involved. Such~~  
514 ~~other notification may include personal contacts, letters or mailing pieces,~~  
515 ~~newspaper articles or advertisements and radio and television announcements.~~

516 ~~———(5) The commission may require such other notification to the public as~~  
517 ~~may be necessary in any particular case of tariff filing: Provided, That where a~~  
518 ~~tariff or a part of a tariff is filed involving no increase in charges to its patrons;~~

519 ~~where the users to be affected by a tariff change are so few in number the utility~~  
520 ~~chooses to advise each by direct mail or contact; or where there is no one to be~~  
521 ~~affected by the tariff proposal, the utility may forego posting of notice relative~~  
522 ~~thereto and will not be required to have a copy of the proposed tariff available for~~  
523 ~~inspection.~~

524 ~~—— (6) The inserted effective date, unless otherwise directed, shall be a date~~  
525 ~~not less than thirty days after the date the commission receives the tariff. Also, if~~  
526 ~~the commission permits the tariff to become effective without statutory notice, the~~  
527 ~~period of notice to the public shall still be for at least thirty days after the date the~~  
528 ~~commission receives the tariff.~~

529  
530 **New Section**

531

532 **WAC 480-120-193 Posting of tariffs for public inspection and review.**

533 Each telecommunications company offering intrastate telecommunications  
534 service under tariff must make available for public inspection and review all tariffs  
535 governing its provision of service, as required by RCW 80.36.100. To comply  
536 with this requirement, a company must fulfill the provisions of either subsection  
537 (1) or subsection (2).

538 (1) **Web, telephone, and mail access.** The company must:

539 (a) Maintain a complete copy of its tariff or tariffs and all proposed tariff  
540 changes on an Internet web site accessible to the public using generally  
541 available browser software;

542 (b) Provide a toll-free telephone number by which customers and  
543 applicants can obtain assistance during normal business hours from a company  
544 agent qualified to assist the customer in locating, interpreting, and applying tariff  
545 provisions;

546 (c) Upon written or oral request by any customer or applicant, deliver at no  
547 charge a copy of any current, proposed or most recently cancelled tariff page that  
548 relates to the customer's or applicant's service; and

549 (d) Include on each customer bill and notice the address of the tariff web  
550 site and the toll-free telephone number.

551 (2) **Physical access.** The company must make available for public  
552 inspection and copying a complete copy of its tariff or tariffs, all most recently  
553 cancelled tariff sheets, and all proposed tariff changes at one or more offices in  
554 each county where it offers service, except that: a single office may serve more  
555 than one county if the office is within twenty miles of all customers in the county  
556 where no tariff is posted. The company must provide at each office either an  
557 agent qualified to assist the customer in locating, interpreting, and applying tariff  
558 provisions or access to such an agent by a toll-free telephone number.

559

560 **New Section**

561

562 **WAC 480-120-194 Publication of proposed tariff changes to increase**  
563 **charges or restrict access to services.**

564 Each telecommunications company offering intrastate telecommunications  
565 service under tariff must publish all proposed changes to its tariff for at least thirty  
566 days, as required by RCW 80.36.110. For any proposed tariff change that would  
567 increase recurring or per-occurrence charges or restrict access to services (e.g.,  
568 discontinue a service, or limit access to service by imposing a new usage level  
569 on existing services), a company must fulfill the requirements of either subsection  
570 (1) or subsection (2). For any other proposed tariffs, the company must fulfill the  
571 requirements of WAC 480-120-195.

572 (1) **Notice to individual customers.** To comply under this method, the  
573 company must, at least thirty days before the stated effective date of the  
574 proposed change, mail the posting to each customer that would be affected by  
575 the proposed change. The company must also send the notice or a press  
576 release about the increase to every daily paper within its service territory. The  
577 posting must include the information listed in subsection (3).

578 (2) **Published notice.** To comply under this method, the company must,  
579 at least thirty days before the stated effective date of the proposed change,  
580 publish notice of the proposed change within the geographical areas where it  
581 offers service. The company must make a good faith effort to publish this  
582 information. To meet minimum publication requirements, a company must:

583 (a) Distribute copies of the published notice to community agencies and  
584 organizations in the geographic area where it offers service for posting and  
585 publication by the agency or organization. The company must include in its  
586 distribution list any agency or organization that requests these notices;

587 (b) Cause to be printed in large print, as a paid advertisement, a complete  
588 copy of the published notice in the daily newspaper of general circulation with the  
589 greatest number of subscribers in each geographic area or each of the areas  
590 affected by the proposed tariff;

591 (c) Provide to the news editor of every newspaper, television station, and  
592 radio station, in the geographic area within which it offers service a news release  
593 or public service announcement summarizing the published notice. The release  
594 or announcement must include a toll-free number that customers can use to  
595 obtain more information from the telecommunications company. The  
596 commission will maintain a list of area newspapers, television and radio stations  
597 and will provide it on request to any utility; and

598 (d) Post a complete copy of the published notice on an Internet web site  
599 accessible to the public using generally available browser software.

600 (3) **Content of postings.** The published notice required by this rule must  
601 include, at a minimum:

602 (a) The date the notice is issued;

603 (b) The company's name and address;

604 (c) A brief explanation of the reason(s) the company has requested the  
605 rate change (e.g., increase in labor costs, recovery of new plant investment, and  
606 increased office expenses, such as, postage and customer billing);

607 (d) A comparison of current and proposed rates by service;

608 (e) An example showing the monthly increase of the average customer's  
609 bill based on the proposed rates (e.g., "Based on the proposed rates, a typical

610 telephone customer using an average of twenty minutes of local toll service  
611 would see an average monthly increase of \$0.85.”);  
612 (f) When the rates will be billed (i.e., monthly or bi-monthly);  
613 (g) The requested effective date and, if different, the implementation date;  
614 (h) A statement that the commission has the authority to set final rates that  
615 may vary from the company’s request, which may be either higher or lower  
616 depending on the results of the investigation;  
617 (i) A description of how customers may contact the company if they have  
618 specific questions or need additional information about the proposal; and  
619 (j) Public involvement language. A company may choose from:  
620 (i) Commission-suggested language that is available from the  
621 commission’s designated public affairs officer; or  
622 (ii) Company-developed language that must include the  
623 commission’s mailing address, toll-free number, and docket number, if known,  
624 and a brief explanation:  
625 (A) How to participate in the commission’s process by  
626 mailing or faxing a letter, or submitting an e-mail; and  
627 (B) How to contact the commission for process questions or  
628 to be notified of the scheduled open meeting at which the proposal will be  
629 considered by the commission.

630

631 **New Section**

632

633 **WAC 480-120-195 Notice of tariff changes other than increases in recurring**  
634 **charges and restrictions in access to services.**

635 (1) A company that files a tariff change to increase any charge that a customer  
636 may incur without being quoted a rate or price (e.g., late payment fees,  
637 insufficient fund charges, or a one-time charge) or any charge to pass through  
638 the effect of local taxes paid by the company must provide notice to each  
639 affected customer on or with the first bill after the change becomes effective.

640 (a) Content of notice. At a minimum, the notice must include the effective  
641 date, a clear description of changes to rates or services and a company contact  
642 number where customers may seek additional information.

643 (b) Methods of notice permitted include: bill insert, bill message, printing  
644 on the billing envelope, a separate mailing to all affected customers or, if the  
645 company has the capability and the customer has authorized, by e-mail.

646 (2) A company that files a tariff change that decreases rates, including  
647 promotions that temporarily waive recurring or non-recurring charges, or that  
648 changes terms or conditions without restricting access to the service, must  
649 publish the change in the manner it posts tariffs under WAC 480-120-193.

650

651 **New Section**

652

653 **WAC 480-120-196 Customer notice requirements--Competitively**  
654 **classified telecommunications companies or services.**



655 This rule sets out requirements in specific circumstances for notices that  
656 companies must provide to customers when services are provided under price  
657 list.

658 (1) Prior notice. Customer notice before the effective date of changes to  
659 the price list for competitively classified companies or competitively classified  
660 services.

661 (a) Amount of prior notice. The company must provide notice to each  
662 affected customer at least ten days before the effective date when a company  
663 proposes to:

- 664 (i) Increase rates;
- 665 (ii) Decrease rates; or
- 666 (iii) Change terms or conditions.

667 The company must measure the ten-day period from the time the notice is mailed  
668 to all customers or appears in the newspaper or on the web site.

669 (b) Content of notice. Each customer notice must include, at a minimum;

- 670 (i) The effective date;
- 671 (ii) A clear description of changes to rates and services; and
- 672 (iii) A company contact number where customers can seek

673 additional information.

674 (c) Methods of notice permitted for increase in rates or a material change  
675 of terms and conditions. A company must provide notice by bill insert, bill  
676 message, printing on the billing envelope, a separate mailing to all affected  
677 customers, or, if a company has the capability and the customer has authorized,  
678 by e-mail.

679 (d) Methods of notice permitted for changes not covered by subsection  
680 (1)(c). A company must provide notice by:

- 681 (i) Any method listed in subsection (1)(c);
- 682 (ii) Publishing the notice in one or more newspapers of general  
683 circulation for the affected areas; **OR**
- 684 (iii) Posting the notice on the web site on which the price list is  
685 available to the public.

686 (2) Commission assistance. A company may request assistance from the  
687 commission's designated public affairs officer with efforts to comply with this  
688 section.

689 (3) Alternative form of notice permitted with prior approval. As an  
690 alternative to the customer notice required by this rule, a company may propose  
691 another form of customer notice. The commission's public affairs officer must  
692 approve any such notice in advance.

693 (4) Customer notice verification. Within ten days of making a filing  
694 requiring posting, publication, or customer notice required by this rule, a  
695 company must file a statement with the commission records center that the  
696 required notice has been posted, published, and/or mailed. The statement must  
697 include:

698 (a) The methods used to post, publish, and/or give notice to customers;

699 (b) When the notice was first posted, published, and/or issued to  
700 customers; and

701 (c) A copy of the notice.

702

703 **New Section**

704

705 **WAC 480-120-197 Adjudicative proceedings where public testimony will be**  
706 **taken.**

707 (1) Unless otherwise ordered by the commission, for adjudicated proceedings  
708 where there is a hearing to take testimony from the public, the company must  
709 provide customer notice to each affected customer by including notices in the bill  
710 package beginning with the cycle being billed forty-five-days before the first  
711 public hearing. The timing, location, and amount of notice (if different than  
712 required above) will be addressed in the pre-hearing conference order.

713 (2) Content of notice. The notice must include all information contained in  
714 WAC 480-120-194(3), except the public involvement information in subsection  
715 (3)(j). A company must include either of the following public involvement  
716 language:

717 (a) Commission-suggested language that is available from the  
718 commission's designated public affairs officer; or

719 (b) Company-developed language that must include the  
720 commission's mailing address, toll-free number, docket number, and a brief  
721 explanation:

722 (i) How to participate in the commission's process by  
723 mailing or faxing a letter, or submitting an e-mail;

724 (ii) How to contact the commission for process questions; and

725 (iii) The date, time and location of the public hearing.

726 (3) Methods of notice. Methods of notice permitted include: bill insert, bill  
727 message, printing on the billing envelope, a separate mailing to all affected  
728 customers or, if the company has the capability and the customer has authorized,  
729 by e-mail.

730 (4) Who must receive notice. In addition to each affected customer a  
731 company must notify at least one newspaper of general circulation, and at least  
732 one radio station and at least one television station in the area or each of the  
733 areas affected.

734

735 **New Section**

736

737 **WAC 480-120-198 Notice verification and assistance**

738 (1) Customer notice verification. Within ten days of making a filing requiring  
739 posting, publication, or customer notice under WAC 480-120-194, WAC 480-120-  
740 195, or 480-120-197, but no sooner than when the tariff is filed with the  
741 commission, a company must file a statement with commission's records center  
742 that the required notice has been posted, published, and/or mailed. The  
743 declaration must include:

744 (a) The methods used to post, publish, and/or give notice to customers;

745 (b) When and how the notice was posted, published, and/or issued to  
746 customers;

747 (c) How many customers are affected; and

748 (d) A copy of the notice.

749 (2) Commission assistance. A company may request assistance from the

750 commission's designated public affairs officer with efforts to comply with WAC

751 480-120-193 through WAC 480-120-197.

752

753 **New Section**

754

755 **WAC 480-120-199 Other customer notice.**

756 The commission may require notice to customers of tariff changes other than

757 those described in these rules when the commission determines that additional

758 customer education is needed.

759

759 **New Section**

760  
761 **WAC 480-121-065 Customer notice requirements--Petition for competitive**  
762 **classification of a service.**

763 (1) When a company petitions for competitive classification of a  
764 telecommunications service(s), the company must provide notice to each  
765 affected customer at least thirty days before the requested effective date.

766 (2) Content of notice. Each customer notice must include, at a minimum:  
767 (a) The date the notice is issued and the proposed effective date of the  
768 competitive classification;

769 (b) The company name and address;

770 (c) A clear explanation of the proposal to give customers the basis  
771 for understanding the proposal and the potential impact of the change. The  
772 company may satisfy this requirement with its own explanation or by using  
773 commission-developed language available from the commission's designated  
774 public affairs officer;

775 (d) A description of how customers may contact the company if they have  
776 specific questions or need additional information about the proposal; and

777 (e) Public involvement language. A company may choose from:

778 (i) Commission-suggested language that is available from  
779 the commission's designated public affairs officer; or

780 (ii) Company-developed language that must include the  
781 commission's mailing address, toll-free number, and docket number, if known,  
782 and a brief explanation:

783 (A) How to participate in the commission's process by  
784 mailing or faxing a letter, or submitting an e-mail; and

785 (B) How to contact the commission for process  
786 questions or to be notified of the scheduled open meeting at which the proposal  
787 will be considered by the commission.

788 (3) Methods of notice. Methods of notice permitted include: bill insert, bill  
789 message, printing on the billing envelope, a separate mailing to all affected  
790 customers or, if the company has the capability and the customer has authorized,  
791 by e-mail.

792 (4) Customer notice verification. Within ten days of making a filing  
793 requiring posting, publication, or customer notice, a company must file a  
794 declaration with commission's records center that the required notice has been  
795 posted, published, and/or mailed. The declaration must include:

796 (a) The methods used to post, publish, and/or give notice to customers;

797 (b) When the notice was first posted, published, and/or issued to  
798 customers;

799 (c) How many customers are affected; and

800 (d) A copy of the notice.

801 (5) Commission assistance. A company may request assistance from the  
802 commission's designated public affairs officer with efforts to comply with this  
803 section.

804           (6) Other customer notice. The commission may require notice to  
805 customers other than those described in this rule when the commission  
806 determines that additional customer education is needed.