

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the matter of the Rule-Making
Proceeding Related to Docket No. U-991301

Customer Notice Rules, Chapters 480-90 (gas) and 480-100 (electric)

The NW Energy Coalition respectfully submits the following comments in response to the Commission's October 10, 2001 Notice of Consideration of Proposed Rulemakings (CR-102) and Notice of Extension of Comment Date.

The Coalition strongly supports efforts to make customers aware of potential modifications to gas and electric tariffs and to facilitate customers' participation in the Commission's decision-making processes. The proposed amendments to WAC 480-90-193 and WAC 480-100-193 concerning posting of tariffs for public inspection and review appear reasonable. We do not believe, however, that implementation of the proposed new sections 480-90-194 and 480-100-194 would yield sufficient public notice of proposed tariff changes. The proposed rules require utilities to inform customers either through individual notice or published notice. We strongly urge the Commission to revise this rule to require individual notice to customers and not allow published notice as a substitute. A customer is more likely to see and pay attention to a directly mailed notice than to a public service announcement or advertisement. It is critical to the public process for customers to be informed to the maximum extent possible and reasonable about potential changes in their rates and services as well as methods for asking questions and registering comments. Further, we note that the proposed language currently requires a utility to "make a good faith effort to publish this information." This language opens the door to interpretation of what constitutes a "good faith effort." We believe it is simpler for all involved and to the greater benefit of ratepayers to require utilities to serve individual notice of proposed tariff changes.

Also in WAC 480-90-194 and 480-100-194, we question the reference to "telecommunications company" in subsection 2(c). If the Commission removes the option for a utility to provide published notice of proposed tariff changes, this reference will no longer exist. If the Commission chooses to retain an option of published notice, we believe the reference to telecommunications company should be replaced with a reference to natural gas or electric utility, respectively.

In WAC 480-90-195 and 480-100-195, we support the proposed language to inform customers about potential rate decreases. Notice of this kind can help reduce potential customer confusion. As long as customers see fluctuations in their rates, the Commission should treat both rate increases and decreases equitably and require customer notification of both.

The Coalition supports enhanced customer notification of public hearings as delineated in WAC 480-90-197 and 480-100-197. The public faces many barriers to participating in Commission processes, including awareness of opportunities for involvement. Better informing customers is the first step to expanding and improving public participation and enabling the Commission to hear directly from ratepayers about their concerns.

Finally, on a grammatical note, in WAC 480-90-198 and 480-100-198, subsection 1 should include the word "the" before "commission's records center."

Thank you for considering these comments in your deliberations.