



# PREPROPOSAL STATEMENT OF INQUIRY

**CR-101 (June 2004)**  
**(Implements RCW 34.05.310)**  
Do **NOT** use for expedited rule making

**Agency:** Washington Utilities and Transportation Commission

**Subject of possible rule making:** The subject of this inquiry is to consider the development of proposed rules to implement statutory changes in RCW 80.80.010, RCW 80.80.040 and RCW 80.80.060 enacted in the state of Washington's 2009 regular legislative session. Docket UE-100865.

**Statutes authorizing the agency to adopt rules on this subject:** RCW 80.01.040, RCW 80.04.160 and RCW 80.80.060(8)

**Reasons why rules on this subject may be needed and what they might accomplish:** On April 20, 2009, and May 11, 2009, respectively, the Governor signed Senate Bill 5989, Chapter 147, Laws of 2009 and House Bill 2129, Chapter 448, Laws of 2009 with the common title "Greenhouse Gas Emissions Performance Standard." Both bills became effective July 26, 2009.

Senate Bill 5989 amends section:  
RCW 80.80.060

House Bill 2129 amends sections:  
RCW 80.80.010  
RCW 80.80.040  
RCW 80.80.060  
RCW 80.80.070

This rulemaking considers revisions to WAC 480-100 to reflect the changes to RCW 80.080 included in Senate Bill 5989, and House Bill 2129.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:**  
-None-

**Process for developing new rule (check all that apply):**

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe) The Commission will ask for initial written comments on draft rules included in this preproposal statement of inquiry, and will provide the opportunity to comment on proposed CR-102 rules prior to adoption.

**How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:** (List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.)

Interested persons may file comments with the Executive Director and Secretary, Washington Utilities and Transportation Commission, P.O. Box 47250, 1300 S. Evergreen Park Drive S.W., Olympia, Washington, 98504-7250; Telephone (360) 664-1174; Fax (360) 586-1150, by 5:00 p.m., Monday, July 26, 2010. For specific information regarding opportunities for written comments and to ensure receipt of further information concerning this rulemaking, please see the attachment to this form.

**DATE**  
June 23, 2010

**NAME (TYPE OR PRINT)**  
David W. Danner

**SIGNATURE**

**TITLE**  
Executive Director and Secretary

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE: June 23, 2010**

**TIME: 8:42 AM**

**WSR 10-13-161**

**WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**  
**CR-101 - ATTACHMENT**  
**DOCKET UE-100865**

Interested persons may contact the Executive Director and Secretary, Washington Utilities and Transportation Commission, P.O. Box 47250, Olympia, Washington, 98504-7250, 360-664-1174 (Fax: 360-586-1150).

**WRITTEN COMMENTS**

Written comments may be submitted to the Commission at the address given above and should be filed with the Commission no later than **July 26, 2010**.

Electronic copies. The Commission requests that comments be provided in electronic format to enhance public access, for ease of providing comments, to reduce the need for paper copies, and to facilitate quotations from the comments. Comments may be submitted via the Commission's Web portal at [www.utc.wa.gov/e-filing](http://www.utc.wa.gov/e-filing) or by e-mail to the Commission's Records Center at [records@utc.wa.gov](mailto:records@utc.wa.gov). Please include:

- The docket number of this proceeding (UE-100865)
- The commenting party's name
- The title and date of the comment or comments

An alternative method for submitting comments may be by mailing/delivering an electronic copy on a 3 ½ inch, IBM-formatted, high-density disk, in .pdf Adobe Acrobat format or in Word 97 or later. Include all of the information requested above. The Commission will post on the Commission's Web site all comments that are provided in electronic format. The Web site is located at [www.wutc.wa.gov/100865](http://www.wutc.wa.gov/100865). If you are unable to file your comments electronically or to submit them on a disk, the Commission will always accept a paper document.

Opportunity for further comment is anticipated. Information about the schedule and other aspects of the rulemaking, including comments, will be posted on the Commission's Web site as it becomes available. If you wish to receive further information on this rulemaking you may (1) call the Commission's Records Center at 360-664-1234, (2) e-mail the Commission at [<records@utc.wa.gov>](mailto:records@utc.wa.gov), or (3) mail written comments to the address above to the attention of David W. Danner, Executive Director and Secretary. When contacting the Commission, please refer to Docket UE-100865 to ensure that you are placed on the appropriate service list. Questions may be addressed to Danny Kermode (360) 664-1253 or e-mail at [dkermode@utc.wa.gov](mailto:dkermode@utc.wa.gov).

## NOTICE

**TO CONTINUE RECEIVING NOTICES AND INFORMATION ABOUT THIS RULEMAKING** -- The Commission wants to ensure its mailings are sent to persons who are interested in the topic and want to receive that information. **ANY PERSON WHO COMMENTS** will continue to receive notices and information. If you do not submit comments but wish to remain on the mailing list for this rulemaking, please advise the Records Center by any one of the following methods: (1) send a note with your name, address (or a copy of your mailing label), and telephone and fax numbers referencing Docket UE-100865, and the words "Please keep me on the mailing list"; or (2) e-mail your name, address, telephone and fax numbers, referencing Docket UE-100865, and the words "Please keep me on the mailing list" to <[records@utc.wa.gov](mailto:records@utc.wa.gov)>. Please note that all information in the mailings will be accessible through the Commission's Internet Web site at <http://www.utc.wa.gov/100865>. **THOSE PARTIES WHO DO NOT RESPOND MAY NOT RECEIVE FURTHER MAILINGS OR INFORMATION ON THE RULEMAKING.**