

**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of Amending and Adopting)	DOCKET A-060475
)	
Several rules in Title 480 WAC)	GENERAL ORDER NO. R-537
)	
)	ORDER AMENDING AND
Relating to adoption-by-reference date revisions and other minor administrative changes.)	ADOPTING RULES
)	PERMANENTLY
)	
.....)	

1 **STATUTORY OR OTHER AUTHORITY:** The Washington Utilities and Transportation Commission takes this action under Notice WSR # 06-11-174 for an expedited rulemaking, filed with the Code Reviser on May 24, 2006. The Commission brings this proceeding pursuant to RCW 80.01.040, RCW 80.04.160, RCW 81.04.160 and RCW 34.05.353.

2 **STATEMENT OF COMPLIANCE:** This proceeding complies with the Administrative Procedure Act (chapter 34.05 RCW), the State Register Act (chapter 34.08 RCW), the State Environmental Policy Act of 1971 (chapter 43.21C RCW), and the Regulatory Fairness Act (chapter 19.85 RCW).

3 **DATE OF ADOPTION:** The Commission adopts this rule on the date that this Order is entered.

4 **CONCISE STATEMENT OF PURPOSE AND EFFECT OF THE RULE:** RCW 34.05.325(6) requires that the Commission prepare and provide to commenters a concise explanatory statement about an adopted rule. The statement must identify the Commission’s reasons for adopting the rule, a description of the differences between the version of the proposed rules published in the register and the rules as adopted (other than editing changes), a summary of the comments received regarding the proposed rule changes, and the Commission’s responses to the comments reflecting the Commission’s consideration of them.

5 In this docket, to avoid unnecessary duplication, the Commission designates the discussion in this Order as its concise explanatory statement, supplemented where not inconsistent by the staff memoranda preceding the filing of the CR-105 proposal and the adoption order. Together, the documents provide a complete but concise explanation of the agency actions and its reasons for taking those actions.

6 **REFERENCE TO AFFECTED RULES:** This Order amends the following sections of the Washington Administrative Code:

Rule Changes			
Action	WAC No.	Rule Title	Changes
Chapter 480-14 WAC, Motor Carriers Excluding Household Goods Carriers and Common Brokers			
Amend	480-14-999	Adoption by reference.	1. Adoption by Reference dates changed as follows: North American Standard Out-of-Service Criteria (CVSA) April 1, 2006 – No significant change Title 49 Code of Federal Regulations, October 1, 2005 – Part 395
Chapter 480-15 WAC, Household Goods Carriers			
Amend	480-15-999	Adoption by reference.	1. Adoption by Reference dates changed as follows: North American Standard Out-of-Service Criteria (CVSA) April 1, 2006 – No significant change Title 49 Code of Federal Regulations, October 1, 2005 – Part 395

Chapter 480-70 WAC, Solid Waste Collection Companies			
Amend	480-70-999	Adoption by reference.	1. Adoption by Reference dates changed as follows: North American Standard Out-of-Service Criteria (CVSA) April 1, 2006 – No significant change Title 49 Code of Federal Regulations, October 1, 2005 – Part 395
Chapter 480-73 WAC, Hazardous Liquid Pipeline Companies			
Amend	480-73-999	Adoption by reference.	1. Adoption by Reference dates changed as follows: Title 18 Code of Federal Regulations April 1, 2006 – No significant change
Chapter 480-90 WAC, Gas Companies—Operations			
Amend	480-90-999	Adoption by reference.	1. Adoption by Reference dates changed as follows: Title 18 Code of Federal Regulations April 1, 2006 – No significant change NARUC, The Regulations to Govern the Preservation of Records of Electric, Gas, and Water Companies – as of 1985 – No change to current rule
Chapter 480-100 WAC, Electric Companies			
Amend	480-100-999	Adoption by reference.	1. Adoption by Reference dates changed as follows: Title 18 Code of Federal Regulations April 1, 2006 – No significant change NARUC, The Regulations to Govern the Preservation of Records of Electric, Gas, and Water Companies – as of 1985 – No change to current rule National Electrical Code – as of 2005 ANSI C12.1, Code for Electricity Metering, 2001 – as of 2001 – No change to current rule

Chapter 480-120 WAC Telecommunications Companies			
Amend	480-120-999	Adoption by reference	<p>1. Adoption by Reference dates changed as follows:</p> <p>American National Standards for Telecommunications - “Network Performance Parameters for Dedicated Digital Services – Specifications” – (ANSI T1.510-1999) – as of December 29, 1999 and reaffirmed 2004 - No change to current rule</p> <p>The Institute of Electrical and Electronic Engineers (IEEE) Standard Telephone Loop Performance Characteristics as of March 22, 1984 and reaffirmed October 26, 1999 – No change to current rule</p> <p>National Electrical Safety Code January 1, 2002 – No change to current rule</p> <p>Title 47 Code of Federal Regulations, except Sections 64.2003 through 64.2009 October 1, 1998 – No change to current rule</p> <p>Title 47 Code of Federal Regulations, Sections 64.2003 through 64.2009 October 1, 2004 – No significant change</p>
Chapter 480-121 WAC Registration, Competitive Classification and Price Lists of Telecommunications Companies			
Amend	480-121-063	Regulatory requirements that may be waived for competitively classified telecommunications companies.	1. Corrected WAC references and numbering in subsection (1).

Chapter 480-04 WAC Public Access to Information and Records			
Amend	480-04-100	Copying and service charges.	1. Updated reference to Administrative Policy concerning commission's schedule of charges for copies.

7 **PREPROPOSAL STATEMENT OF INQUIRY AND ACTIONS**

THEREUNDER: A preproposal statement of inquiry is not required under RCW 34.05.353, "Expedited rule making."

8 **NOTICE OF EXPEDITED RULEMAKING:** The Commission filed notice of Expedited Rulemaking (CR-105) on May 24, 2006, at WSR # 06-11-174. The Notice informed interested persons that the rules were being proposed under an expedited rulemaking process as required by RCW 34.05.353. The Commission provided notice of its expedited rulemaking to all persons on the Commission's list of persons requesting such information pursuant to RCW 34.05.353, and by sending notice to all companies affected by the adoption-by-reference rule proposal. The Notice provided interested persons the opportunity to submit written comments to the Commission not later than July 24, 2006. The Commission posted the relevant rulemaking information on its Internet web site at www.wutc.wa.gov.

9 **COMMENTERS (WRITTEN COMMENTS):** No comments were received on the proposed rules.

10 **COMMISSION ACTION:** After considering all of the information regarding this proposal, the Commission finds and concludes that it should amend and adopt the rules as proposed in the CR-105 at WSR # 06-11-174.

11 **STATEMENT OF ACTION; STATEMENT OF EFFECTIVE DATE:** After reviewing the entire record, the Commission determines that WAC sections 480-14-999, 480-15-999, 480-70-999, 480-73-999, 480-90-999, 480-100-999, 480-120-999, 480-121-063, and 480-04-100 should be amended to read as set forth in Appendix A, as rules of the Washington Utilities and Transportation Commission, to take effect on the thirty-first day after filing with the Code Reviser pursuant to RCW 34.05.380 (2).

ORDER

12 **THE COMMISSION ORDERS:**

13 The Commission amends and adopts WAC sections 480-14-999, 480-15-999, 480-70-999, 480-73-999, 480-90-999, 480-100-999, 480-120-999, 480-121-063, and 480-04-100 to read as set forth in Appendix A, as rules of the Washington Utilities and Transportation Commission, to take effect on the thirty-first day after the filing with the Code Reviser pursuant to RCW 34.05.380 (2).

14 This Order and the rules set out in Appendix A, after being recorded in the register of the Washington Utilities and Transportation Commission, shall be forwarded to the Code Reviser for filing pursuant to chapters 80.01 and 34.05 RCW and chapter 1-21 WAC.

DATED at Olympia, Washington, August __, 2006.

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

MARK H. SIDRAN, Chairman

PATRICK J. OSHIE, Commissioner

Note: The following is added at Code Reviser request for statistical purposes:

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 9, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.