

[Service Date March 21, 2008]

March 21, 2008

**NOTICE OF OPPORTUNITY TO FILE WRITTEN COMMENTS ON
SUPPLEMENTAL CR-101 AND DISCUSSION DRAFT
(By Monday, April 21, 2008)**

RE: Rulemaking to Consider Possible Corrections and Changes to Selected Rules in
WAC 480-07, Relating to Procedural Rules.
Docket A-072162

TO INTERESTED PERSONS:

On December 5, 2007, the Washington Utilities and Transportation Commission (Commission) filed with the Code Reviser a Preproposal Statement of Inquiry (CR-101) to consider possible corrections and changes to selected rules in WAC 480-07, relating to procedural rules, specifically addressing WAC 480-07-110, WAC 480-07-125, WAC 480-07-140, WAC 480-07-160, WAC 480-07-307, WAC 480-07-395, WAC 480-07-510, WAC 480-07-710, WAC 480-07-900, WAC 480-07-903, WAC 480-07-904, and WAC 480-07-905. This notice supplements the original CR-101 filed at WSR # 07-24-081.

On January 25, 2008, the Commission made available to stakeholders a discussion draft of amendments to these specific rules, and provided an opportunity to file comments by February 22, 2008. The Public Counsel Section of the Washington State Attorney General's Office, Puget Sound Energy, Inc. (PSE), Qwest Corporation, Verizon Northwest Inc., Avista Corporation, the Washington Independent Telephone Association, Pacific Power, and Northwest Natural filed comments on the discussion draft.

On March 19, 2008, the Commission filed a supplemental CR-101 to that noticed at WSR # 07-24-081 to consider suggestions to amend WAC 480-07-145 to allow parties to submit documents electronically in all adjudications without first obtaining approval from the presiding officer, and to amend WAC 480-07-180 and WAC 480-07-630 to address

comments that references in WAC 480-07 to the Public Records Act incorrectly reference RCW 42.17, not RCW 42.56. The supplemental CR-101, filed with the Code Reviser at WSR # 08-07-083, is available for inspection on the Commission's web site at www.utc.wa.gov/072162. If you are unable to access the Commission's web page and would like a copy of the CR-101 mailed to you, please contact the Records Center at (360) 664-1234.

The Commission has completed a second discussion draft of rules in WAC 480-07 that incorporates comments filed on the first discussion draft and includes changes and modifications to WAC 480-07-145, WAC 480-07-180, and WAC 480-07-630 as mentioned above. The second discussion draft is available for inspection on the Commission's web site noted above.

In its comments filed with the Commission on February 22, 2008, PSE suggests the Commission modify WAC 480-07-405 to address concerns about the use of excessive data requests. The Commission did not include this rule in the scope of its original Notice of Preproposal Statement of Inquiry (CR-101) and declines to include the rule in the supplemental CR-101. Although PSE identifies the issue as arising in a recent general rate case before the Commission, no party has brought the issue to the Commission's attention in the context of an adjudicated case, nor has any party sought recourse under section (4) of the current rule by requesting a presiding officer limit the number of data requests.

WRITTEN COMMENTS

Written comments addressing proposed changes to WAC 480-07-125, WAC 480-07-140, WAC 480-07-145, WAC 480-07-160, WAC 480-07-180, WAC 480-07-307, WAC 480-07-395, WAC 480-07-510, WAC 480-07-630, WAC 480-07-710, WAC 480-08-900, WAC 480-07-903, WAC 480-07-904, and WAC 480-07-905 relating to procedural rules must be filed with the Commission no later than **Monday, April 21, 2008**.

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 by electronic mail to the Commission's Records Center at records@utc.wa.gov. Please include:

- The docket number of this proceeding (A-072162)
- 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 <http://www.utc.wa.gov/072162>.

If you are unable to file your comments electronically or to submit them on a disk, the Commission will always accept a paper document. Questions may be addressed to Ann Rendahl at (360) 664-1144 or e-mail at arendahl@utc.wa.gov.

Your participation is welcomed via written comments. 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, or (3) mail written comments to the address below. When contacting the Commission, please refer to Docket A-072162 to ensure that you are placed on the appropriate service list. The Commission's mailing address is:

Executive Secretary
Washington Utilities and Transportation Commission
1300 South Evergreen Park Drive S.W.
P.O. Box 47250
Olympia, Washington 98504-7250

NOTICE

If you do not want to comment now, but do want to receive future information about this rulemaking, please notify the Secretary in one of the ways described above and ask to be included on the mailing list for Docket A-072162. If you do not do this, you might not receive further information about this rulemaking.

Sincerely,

CAROLE J. WASHBURN
Executive Secretary