



# 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 whether the Utilities and Transportation Commission (UTC) should develop a new rule and/or modify existing rules in WAC 480-90 (Gas Companies) and WAC 480-100 (Electric Companies) to address the use of electronic bills, notices of tariff revisions, bill inserts, documents in adjudicative proceedings, and reports required by settlement stipulations. This inquiry supplements the original CR-101 filed at WSR 10-08-094 to also consider whether to modify existing rules in WAC 480-90 (Gas Companies) and WAC 480-100 (Electric Companies) to allow utilities to obtain and retain a customer's authorization to share personal information electronically with the utility's affiliates, subsidiaries or any other third party for the purpose of marketing services or product offerings to a customer who does not already subscribe to that service or product. The rulemaking has been assigned Docket U-100523.

**Statutes authorizing the agency to adopt rules on this subject:** RCW 80.01.040 and RCW 80.04.160

**Reasons why rules on this subject may be needed and what they might accomplish:** The UTC is responsible for protecting consumers by ensuring that investor-owned utility services are fairly priced, available, and reliable and by improving the flow of information to allow for more customer choices. E-mailing of bills and electronic customer authorization to share personal information is not provided for in the Washington Administrative Code rules (WAC 480-90 and WAC 480-100). In lieu of required use of paper copies, companies want to have an option to provide customers or other interested persons electronic bills, notices of tariff revisions, bill inserts, adjudicative proceeding documents, reports required by settlement stipulations, and the option to provide electronic authorization to share a customer's personal information. This may, among other things, save utility companies mailing and printing costs.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:**

**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 and conduct such other process as necessary to gather the information necessary to determine whether rules should be proposed or modified.

**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 on this amended filing with the Executive Director, 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, Web Portal at [www.utc.wa.gov/e-filing](http://www.utc.wa.gov/e-filing); or through E-mail at <records@utc.wa.gov>;

by 5:00 p.m., **September 10, 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**

August 4, 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: August 04, 2010**

**TIME: 9:12 AM**

**WSR 10-16-143**

**WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**  
**CR-101 - ATTACHMENT**  
**DOCKET U-100523**

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 September 10, 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 electronic 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 (U-100523)
- 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/100523>. 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 U-100523 to ensure that you are placed on the appropriate service list. Questions may be addressed to Roger Kouchi (360) 664-1101 or e-mail at [rkouchi@utc.wa.gov](mailto:rkouchi@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 U-100523, and the words "Please keep me on the mailing list"; or (2) E-mail your name, address, telephone and fax numbers, referencing Docket U-100523, 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/100523>>. **THOSE INTERESTED PERSONS WHO DO NOT RESPOND MAY NOT RECEIVE FURTHER MAILINGS OR INFORMATION ON THE RULEMAKING.**