



SERVICE DATE
MAY 01 2001

STATE OF WASHINGTON
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
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May 1, 2001

**OPPORTUNITY TO SUBMIT WRITTEN COMMENTS ON PROPOSED
RULES AND SBEIS QUESTIONNAIRE
(May 18, 2001)**

and

**NOTICE OF PROPOSED RULE ADOPTION HEARING
(June 13, 2001)**

RE: Docket No. UE-990473
Electric Companies Rulemaking: 480-100 WAC

TO ALL INTERESTED PERSONS:

This letter is to inform you of the progress made toward reviewing WAC 480-100-056 Refusal of Service and WAC 480-100-116 Responsibility for delinquent accounts, and to provide notice of an opportunity to file written comments on the proposed rules, respond to the SBEIS Questionnaire, and participate in the formal rule adoption hearing.

On March 14, 2001, the Commission repealed current sections with the exception of WAC 480-100-056 Refusal of Service and WAC 480-100-116 Responsibility for delinquent accounts, and adopted new sections in Chapter 480-100 WAC. The Commission also directed the Secretary to file a Supplemental Notice of Inquiry (CR-102) to address issues related to proposed WAC 480-100-123 Refusal of service and WAC 480-100-153 Disclosure of private information.

NOTICE is hereby given of the opportunity to submit written comments on the proposed rules and respond to the SBEIS Questionnaire not later than 5:00 PM, May 18, 2001. The draft rules, are available for inspection on the Commission's web site at www.wutc.wa.gov.990473. The Commission will send you a paper copy of the draft rules or will send the proposal via electronic mail, if you ask. Please see the information at the end of this letter describing how to reach the Commission.

Electronic copies. The Commission also requests, but does not require, that comments be provided in electronic format to facilitate quotations from the comments, to enhance public access, and to reduce the need for additional paper copies. Please help us by sending an electronic copy with your paper filing on a 3-1/2 inch, IBM-formatted, high density disk, in .pdf



Adobe Acrobat format, reflecting the pagination of your original. Please also send us the text in your choice of .doc (Word 97 or later) or .wpd (WordPerfect 6.0 or later). Please include all of the following information on the label of the diskette:

- * The docket number of this proceeding (UE-990473)
- * The commenting party's name
- * The title and date of the comment or comments; and
- * The type of software used

Please use the three-letter extension noted above for all electronic files. You may also send your comments by electronic mail to the Commission's Records Center at records@wutc.wa.gov; if you choose this means of submitting comments, please include all of the information requested above for the diskette label. 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.wutc.wa.gov.990473>.

NOTICE is also hereby given of the opportunity to attend the public hearing and make oral comments about the proposal for the adoption of the proposed rules at 9:30 AM, Wednesday, June 13, 2001. This public hearing will be held in the Commission's Hearing Room, Second Floor, Chandler Plaza, 1300 S. Evergreen Park Drive, S.W., Olympia, Washington.

Questions: If you have questions about this Notice about the rulemaking process, or this rulemaking in particular, you may contact Graciela Etchart. She may be reached by mail at the address on this Notice, or by e-mail at getchart@wutc.wa.gov, or by calling 360-664-1310.

Sincerely,



CAROLE J. WASHBURN
Secretary

Enclosures

Supplemental Small Business Economic Impact Statement Questionnaire

In light of the Commission's decision to continue analysis of proposed rule numbers WAC 480-100-123 and WAC 480-100-153, we wish to provide a further opportunity for your participation in the task of quantifying, to the extent possible, the direct and indirect costs of the two draft rules circulated with this package of materials. We believe it will be both worthwhile for you and helpful to us if you provide a detailed response to our questions. However, if you find that you cannot respond in detail, we ask that you contact Hank McIntosh at (360) 664-1309 to discuss other ways you can assist us in this undertaking. Among other things, we will use the information you provide to prepare a Supplemental Small Business Economic Impact Statement (SBEIS). To maximize the value of the information you provide, we ask that you furnish your response (text and tables) in hard copy and electronic versions.

Considering each new revised rule now under consideration in Docket UE 990473:

1. Please identify by new or revised draft rule WAC number what modification of existing operating practices or adoption of a new operating practice, if any, each rule will make necessary. With respect to each such draft rule please, provide your assessment of how it may affect your business.
2. For each new or revised draft rule, please indicate the WAC number and provide a description or list of:
 - (i) any cost savings the rule might promote,
 - (ii) any new costs the rule might impose, and
 - (iii) any non-monetary costs or benefits that might result from the rule.
3. Estimate of benefits: For each new or revised draft rule described or listed in response to question number 2(i), please provide:
 - (a) your best estimate of direct and indirect quantifiable benefits, and
 - (b) an assessment of how these benefits may change over time.Please, note that the benefits may include a possible reduction in informal complaints, formal complaints, and litigation that might otherwise be experienced in the absence of the rule.
4. Estimate of costs: For each revised draft rule described or listed in response to the question number 2(ii), please provide your best estimate of quantifiable direct and indirect costs. If possible, these costs should be broken down into: capital costs (major investment such as production capital costs), operating and maintenance costs (further broken into sub-accounts which includes but not limited to human capital costs such as administrative and government, professional or consultants, laborers, etc., costs; operating cost; maintenance cost), and opportunity costs. Please identify each cost item as fixed, variable, average or incremental, state whether the costs are anticipated to be one-time costs or periodic costs (*e.g.*, monthly, cyclical, or annual). Please state each anticipated cost in appropriate units (*e.g.*, \$/yr, \$/hr, \$/customer, \$/kWh).

5. For each estimate of benefits and costs (in 3 and 4 above), please describe the data and methodology used for the calculations, citing any engineering cost estimating manual or other guidelines used to prepare your estimates.
6. Non-monetary costs or benefits: For each new or revised draft rule described or listed in response to the question number 2(iii), please provide a narrative description of the nature of the cost and/or benefit and its anticipated impact on your company.
7. For each estimate of benefits and costs, please indicate the annual frequency or number of times that customers from each service class (residential, commercial, and industrial) may utilize each rule in order to assess the expected annual cost per customer per rule.

WAC 480-100-123 Refusal of service. (1) An electric utility may refuse requests to provide service to a master meter in a building with permanent occupants when all of the following conditions exist:

- (a) The building or property has more than one dwelling unit;
- (b) The occupants control a significant part of the electricity used in the individual units; and
- (c) It is cost-effective for the occupants to have the utility purchase and install individual meters considering the long-run benefits of measuring and billing each occupant's electric use separately.

(2) The utility may refuse to provide new or additional service if:

- (a) Providing service does not comply with government regulations or the electric industry accepted standards concerning the provision of service;

- (b) In the utility's judgment, there are conditions at the premises that are hazardous or of such a nature that satisfactory service cannot be provided;

- (c) The applicant or customer does not comply with the utility's request to provide protective devices to protect the utility's or other customers' properties from theft or damage;

- (d) The utility is unable to obtain all necessary rights of way, easements, approvals, and permits;

- (e) The customer is known by the utility to have tampered with or stolen the utility's property, used service through an illegal connection, or fraudulently obtained service and the utility has complied with WAC 480-100-128 (2), Disconnection of service.

(3) Upon request by an electric utility, the commission may waive the utility's obligation to provide new or additional service when to do so would:

- (a) Cause an adverse affect on other customers; or

- (b) Not be economically feasible.

(4) The utility may not refuse to provide service to a residential applicant or residential customer because there are outstanding amounts due from a prior customer at the same premises, unless the utility can determine, based on objective evidence, that a fraudulent act is being committed, such that the applicant or customer is acting on behalf of the prior customer with the intent to avoid payment.

(5) The utility may not refuse service to a residential applicant or residential customer who has three or fewer prior obligations in any one calendar year. A prior obligation is the dollar amount the utility has billed to the customer and for which the utility has not received payment at the time the service has been disconnected.

WAC 480-100-153 Disclosure of private information. (1) An electric utility may not use private consumer information, as defined in subsection (3) of this section, to market services to its customers, except that the utility may use such information to market its own energy related services or products.

(2) A utility may not share or sell private consumer information with or to its affiliates, subsidiaries, or any other third party for the purposes of marketing services or product offerings to a customer who does not already subscribe to that service or product, unless the utility has first obtained the customer's written permission to do so.

(3) Private consumer information includes the customer's name, address, telephone number, and any other personally identifying information, as well as information related to the quantity, technical configuration, type, destination, and amount of use of service or products subscribed to by a customer of a regulated utility that is available to the utility solely by virtue of the customer-utility relationship.

(4) This section does not prevent disclosure of the essential terms and conditions of special contracts as provided for in WAC 480-80-335, Special contracts for electric, water, and natural gas utilities.

(5) This section does not prevent the utility from inserting any marketing information into the customer's billing package.

(6) Electric utilities may collect and release customer information in aggregate form if the aggregated information does not allow any specific customer to be identified.