



**PROPOSED RULE MAKING
(RCW 34.05.320)**

**CR-102 (7/22/01)
Do NOT use for expedited
rule making**

Agency: WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION	<input checked="" type="checkbox"/> Original Notice
<input checked="" type="checkbox"/> Preproposal Statement of Inquiry was filed as WSR 03-18-116; or <input type="checkbox"/> Expedited Rule Making -- Proposed notice was filed as WSR _____; or <input type="checkbox"/> Proposal is exempt under RCW 34.05.310(4).	<input type="checkbox"/> Supplemental Notice to WSR _____ <input type="checkbox"/> Continuance of WSR _____

(a) Title of rule: (Describe Subject) The proposed rule revisions would establish the maximum statutory regulatory fee for each industry, the Commission's process for reducing the maximum statutory regulatory fee, a twenty dollar minimum regulatory fee, and a waiver of the minimum regulatory fee for any company whose annual gross revenues are below the threshold that would generate the twenty dollar minimum regulatory fee.

Purpose: See (j) below.

Other identifying information: **Docket No. A-031232.**

(b) Statutory authority for adoption: RCW 80.01.040, RCW 80.04.160, RCW 81.04.160, and Chapter 296, Laws of 2003.	Statute being implemented: Chapter 296, laws of 2003
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(c) Summary: See (j) below.

Reasons supporting proposal:

(d) Name of Agency Personnel Responsible for:	Office Location	Telephone
1. Drafting..... Barbara Weigel	1300 Evergreen Park Drive S.W., Olympic WA 98504	360-664-1157
2. Implementation.... Carole J. Washburn, Secretary	1300 Evergreen Park Drive S.W., Olympic WA 98504	360-664-1174
3. Enforcement..... Carole J. Washburn, Secretary	1300 Evergreen Park Drive S.W., Olympic WA 98504	360-664-1174

(e) Name of proponent (person or organization): **Washington Utilities and Transportation Commission**

Private
 Public
 Governmental

(f) Agency comments or recommendations, if any, as to statutory language, implementation, enforcement and fiscal matters: **None**

(g) Is rule necessary because of:

Federal Law?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	If yes, ATTACH COPY OF TEXT Citation:
Federal Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
State Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	

(h) HEARING LOCATION:
**Commission Hearing Room 206
 Second Floor, Chandler Plaza Building
 1300 S. Evergreen Park Drive S.W.
 Olympia, WA 98504**

Date: **January 14, 2004** Time: **9:30 a.m.**

Assistance for persons with disabilities: Contact Mary DeYoung by January 12, 2004.
 TDD (360) 586-8203 or (360) 664-1133

Submit written comments to:
 Carole J. Washburn, Secretary, P.O. Box 47250,
 Olympia, WA 98504 or
 E-mail to records@wutc.wa.gov. Please include Docket No. A-031232 in your communication.
 FAX (360) 586-1150 By December 24, 2003

DATE OF INTENDED ADOPTION: **January 14, 2004**

CODE REVISER USE ONLY

Filed with the Code Reviser's Office
 December 1, 2003, 12:23 p.m.
 WSR# 03-24-060

NAME (TYPE OR PRINT)	
CAROLE J. WASHBURN	
SIGNATURE	
TITLE	DATE
Executive Secretary	December 1, 2003

(j) Short explanation of rule, its purpose, and anticipated effects: The proposal would implement recent amendments to chapters 80.24, 81.24, and 81.77 RCW pursuant to chapter 296, Laws of 2003, that give the Commission authority to set minimum regulatory fees that do not exceed the cost of collecting the fees, and to waive collection of the minimum fee. Existing minimum fees of \$1.00 to \$5.00 are out-dated and insufficient to cover the cost of collecting and tracking the annual regulatory fees. The proposal would establish the maximum statutory regulatory fee for each industry, the Commission's process for reducing the maximum statutory regulatory fee, a twenty dollar minimum regulatory fee, and a waiver of the minimum regulatory fee for any company whose annual gross revenues are below the threshold that would generate the twenty dollar minimum regulatory fee. The proposal would amend the following rules:

- WAC 480-30-110, Fees and gross operating revenue, (Auto Transportation Companies)
- WAC 480-51-100, Annual reports – regulatory fees, (Commercial Ferries)
- WAC 480-62-300, Regulatory Fees, (Railroad Companies)
- WAC 480-70-076, Regulatory fees., (Solid Waste Collection Companies)
- WAC 480-90-208, Financial reporting requirements, (Gas utilities)
- WAC 480-100-208, Financial reporting requirements, (Electric Utilities)
- WAC 480-110-275, Accounting and reporting requirements, and regulatory fees, (Water Utilities)
- WAC 480-120-303, Reporting requirements for competitively classified companies, (Telecommunication Companies)
- WAC 480-120-304, Reporting requirements for companies not classified as competitive, (Telecommunication Companies)

Does proposal change existing rules? YES NO

If yes, describe changes:

See (j) above.

(k) Has a small business economic impact statement been prepared under chapter 19.85 RCW?

- Yes. Attach copy of small business economic impact statement.
A copy of the statement may be obtained by writing to:

telephoning: ()
faxing: ()

No. Explain why no statement was prepared

The proposed rule revisions will not increase revenue to the agency, nor will they increase the regulatory fee that any company is required to pay. Because there will be no increase in cost resulting from the proposed rules, an SBEIS is not required.

(l) Does RCW 34.05.328 apply to this rule adoption? Yes No

Please explain: The Commission is not an agency to which RCW 34.05.328 applies. The proposed rules are not significant legislative rules of the sort referenced in RCW 34.05.328(5).