

WUTC Rule Review
Proposed changes to the Draft dated 7/16/99
Submitted by Avista Utilities

Dockets UG-990294 & UE-990473 Gas & Electric Rulemakings
1st initial discussion draft
July 16, 1999

Common Consumer Rules:

WAC 480-90/100-041 Availability of information

(1) Each gas/electric company must provide the information needed for its customers and applicants for service to obtain adequate and efficient service.

(2) Each company must notify its customers of its regular business hours, a 24-hour toll-free telephone number, mailing address and a twenty-four hour emergency telephone at least once a year.

(3) Each company must provide to each new applicant relevant rate information and a consumer brochure detailing the rights and responsibilities of a utility customer. The consumer brochure must include information relating to establishing credit, deposits, billing, delinquent accounts, disconnection of service initiated by the company, cancellation of service by the customers, how to dispute a bill with the company and then with the commission by formal or informal complaint. Once a year the company must notify its current customers how to obtain the consumer brochure and applicable rate information.

(4) The company must make the following information available upon request:

(a) a copy of the natural gas/electric rules, chapter 480-90/100-041WAC.

(b) a copy of the company's current rates and regulations (tariff).

(c) a copy of the consumer brochure described in Section 3 above. .

(5) The company must provide an applicant, upon request, a clear summary of the average high and low gas/electric usage based on the actual consumption of the applicant's service premise for ~~each billing period during~~ the prior year. [Comment: We cannot provide detailed billing information, only averages because this is based on other customers' proprietary information.]

(6) The company must provide a customer, upon request, a detailed account of the customer's actual gas/electric usage of the service premise.

(7) The company must provide the commission copies of all pamphlets, brochures, bill messages and other information provided to the customers.

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WAC 480-90/100-046 Application for service

(1) Gas/Electric companies may require the following information when an applicant applies for service:

- (a) the applicant's name, address and telephone number;
- (b) the date the person applied for service;
- (c) the type of service requested such as residential or commercial service.
- (d) an alternative telephone number for the company to contact the customer, if available; and
- (e) proof of identification. (Social security #, drivers license number)
- (f) spouse/co-tenant information
- (g) employer and length of employment
- (h) previous address/utility service [Comment: this additional information would be required in order to establish whether a deposit would be required or a delinquent bill is due.]

(2) The companies must provide a service date to the applicant at the time of application.

(3) Under no circumstances will a customer resell electricity/gas unless specifically authorized in the filed tariff of the company.

WAC 480-90/100-051 Establishment of credit and deposits

(1) An electric/gas company may not collect a security deposit if an applicant or customer for residential electric/gas service:

- (a) has had electric/gas service with the company within the prior six consecutive months. provided that:
 - (i) the applicant or customer has not received more than ~~two~~ one [Comment: the existing rule states "one", no showing or explanation has been provided that this should be changed] delinquency notices during the past six month period, and
 - (ii) the applicant's or customer's service for a similar class was not disconnected for nonpayment;
- (b) can demonstrate (1a) above with another electric/gas company. The satisfactory credit reference must be quickly and easily checked. The company may request the reference be in writing;
- (c) ~~can demonstrate full-time consecutive employment during the prior twelve months with no more than two employers, and the applicant is currently employed or has a regular source of income;~~ [Comment: 12 months of consecutive employment has no correlation over whether a customer will pay a bill]

(d) has ownership of a legal interest in the premises being served;
(e) can furnish a guarantor that has demonstrated (1a) above with the company. If the customer has a past due balance, the guarantor is responsible for that amount, not to exceed the amount of the deposit as defined subsection (4). Additionally, the guarantor is responsible for the customer's past due balance at the address where the customer resided at the time the guarantee was made; [Comment: In the past, we could not use the guarantee amount unless the account was disconnected or closing bill charges were not paid. This is indicating anytime an account is past due that the guarantor is responsible for up to the deposit amount.]

(f) has notified the company of the inability to pay a deposit as provided in WAC 480-100-072(3) and meets with requirements of WAC 480-100-072(4)(a), Payment Arrangements. [Comment: this does not make sense, the reference to WAC 480-100-072(3) and 480-100-072(4)(a) does not relate to this]

~~(2) The company may collect a deposit from any customer where there is prior customer living at the residence who owes a past due bill to the company, or when there is an unpaid overdue balance owing for service from the company. [Comment: Because WAC 480-90/100-116(8) states we may refuse to provide service to an applicant that is acting on behalf of the prior customer with the intent to avoid payment, this section should be struck.]~~

(3) An applicant for nonresidential electric/gas service may be required to demonstrate that it is a satisfactory credit risk by reasonable means appropriate under the circumstances.

(4) Required deposits for a customer or location may not exceed:

(a) two-twelfths of the residence's most previous 12 months usage for companies billing monthly; [Comment: provided there is complete and accurate information to calculate the deposit; if we have incomplete billing history, we use a formula to calculate the deposit]

(b) three-twelfths of the residence's most previous 12 months usage for companies billing bimonthly.

(5) When an applicant or customer is required to pay a deposit but is unable to pay the entire deposit in advance of connection or continuation of service, the company must allow the applicant or customer to pay fifty percent of the deposit prior to service, with the remaining balance payable in equal amounts over the next two months.

(6) When a customer moves to a new address within the company's service territory, the deposit, plus accrued interest ~~must~~ may be transferred or refund, less any outstanding past-due balance owing from the old address.

(7) Should a deposit or additional deposit amount be required after establishment of service, the reasons must be specified in writing to the customer and guarantor, if applicable. Any request for a deposit or additional deposit amount must comply with the standards outlined in this rule. If the

guarantor does not agree to be responsible for the additional deposit amount, the customer will be held responsible for paying the additional deposit.

(8) Any deposit or additional deposit amount required after service is established is due and payable no sooner than 5:00 p.m. of the sixth business day after notice of the deposit requirement is mailed or delivered in person to the customer.

(9) Interest on deposits collected from applicants or customer must:

(a) accrue at the rate calculated as a simple average of the effective interest rate for new issues of one-year treasury bills, computed from December 1 of each year, continuing through November 30 of the following year. The commission will advise the company each year of the specific rate by mail;

(b) earn the calculated interest rate during January 1 through December 31 of the subsequent year;

(c) be computed from the time of deposit to the time of refund or when applied directly to the customer's account, and

(d) be compounded annually.

(10) Deposits plus accrued interest must be refunded when there has been satisfactory payment or upon termination of service.

(a) Satisfactory payment. Where the customer has paid for service 12 consecutive months in a prompt and satisfactory manner as evidenced by the following:

(i) the company has not initiated disconnection proceedings against the customer; and

(ii) the company has sent no more than two notices of delinquency to the customer.

(b) Termination of service. Upon termination of service, the company must return to the customer the amount on deposit plus accrued interest, less any amounts due the company by the customer.

(11) Any deposit, plus accrued interest must be refunded to the customer ~~in accordance with the preference indicated by the customer at the time of deposit [Comment: This in new language proposed by Staff; there is no way to track the way a customer wants their deposit handled] or as modified on a later date using one of the following methods:~~

(a) in the form of a check issued and mailed to the customer no later than fifteen days following completion of twelve months of satisfactory payment; or

(b) available for the customer at the company's local business office upon;

or

(c) applied to the customer's account for service beginning in the 13th month.

WAC 480-90/100-056 Refusal of Service

WAC 480-90/100-121/116 Responsibility for Delinquent Accounts

(1) Electric/gas companies must 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 company purchase and install individual meters considering the long-run benefits of measuring and billing each occupant's electric use separately.

(2) The electric/gas company may refuse to provide service if doing so will cause an adverse affect to other customers or if the service does not comply with government regulations or with the electric/gas industry standards.

(3) The electric/gas company may refuse to provide service if, in the company's judgement, the applicant's or customers's wiring or electrical/piping or gas burning equipment is hazardous, or of such nature that satisfactory service cannot be provided.

(4) The electric/gas company may refuse to provide service to if the applicant or customer does not provide the required devices to protect the electric/gas company's or other customers' properties.

(5) The electric/gas company may refuse to provide service if the electric/gas company cannot obtain all necessary rights-of-way, easements, approvals, and permits.

(6) The company may not be required to provide service if it would be economically unfeasible to do so.

(7) The company may refuse to provide service if the customer has obtained fraudulent service as described in WAC 480-100-071, Discontinuance of Service.

(8) The electric/gas company may not refuse to provide service to an applicant or customer when there are unpaid bills from a prior customer at the same premises unless the company believes, based on objective evidence, that the applicant is acting on behalf of the prior customer with the intent to avoid payment.

*(9) The electric/gas company may permanently deny service to an applicant or customer because of a prior obligation to the company. A prior obligation ~~is the dollar amount that has been billed to the customer but left unpaid at the time of disconnection of service for nonpayment. the charge due from a previous customer at an address where a new or different customer is moving in.~~ [Comment: In the original tariff, a prior obligation (as used in WAC 480-90/100-116) was in reference to a bill due from a previous customer, it did not reference the amount that was disconnected for non payment of the current customer.

Avista has been informed that staff had intended to state that a "company may not permanently deny service"... Avista would agree that service may not be permanently denied as defined as removal of service lines for non-payment; however, Avista strongly believes that, pursuant to -071(8), conditions of reconnection must be met prior to reconnection of service. Such conditions include payment of outstanding balances owed by customers. To date, this has been an interpretation issue and Avista would like affirmation, by rule, that the preceding sentence should be the accepted interpretation.]

***Some stakeholders commented that prior obligation should be changed or limited in some way. Staff would be open to considering changes if stakeholders are able to supply evidence that the prior obligation rule is financially burdensome or otherwise onerous (e.g. total uncollectible, total prior obligation, uncollectibles compared to other electric/gas companies)**

(10.) The electric/gas company may refuse to provide service to a customer who pays a delinquent account with a check that has been dishonored by the bank or other financial institution until the customer reimburses the company in cash for the amount of the returned check and check charge. [Comment: Avista spoke to this issue at the first workshop.]

WAC 480-90-071 Discontinuance of service (Gas).

(1) Customer-directed: Customers wanting to discontinue service must notify the gas company. The company must disconnect the service as requested by the customer. If the customer fails to request disconnection of service the customer will be responsible to continue paying for natural gas service at the company's tariff rate until the company becomes aware that the customer vacated the property.

(2) Company-directed without notice or without further notice: The company may discontinue service without notice or without further notice when:

(a) After conducting a thorough investigation, it determines the customer has tampered with its property;

(b) After conducting a thorough investigation, it determines the customer has vacated the premises;

(c) A customer pays a delinquent account with a check the bank or other financial institution has dishonored after the company has issued appropriate notice, as described in subsection (5) of this section;

(d) The customer has not kept any agreed upon payment plan for a delinquent balance after a notice was mailed; [Comment: this would include broken arrangements made on the unpaid balance at the time a service is reconnected for non payment]

(e) It has determined a customer has used service prior to applying for service. The company must charge the customer for service used in accordance with the company's tariff rate schedule(s); or

(f) It discovers that a customer has obtained service fraudulently. The company has the burden of proving that fraud occurred. Examples of fraud include when service is connected without the company's knowledge, when service is obtained through false means or representations, or when service is used to provide service to other persons who are required to obtain their own service. A nonsufficient fund check will not be considered fraud.

(i) First offense: The company may disconnect service without notice when it discovers fraud, unless the customer immediately pays:

(a) The tariff rate for service that the company estimates was taken fraudulently; plus

(b) All company costs resulting from the fraudulent

use; plus

(c) Any applicable required deposit.

(ii) Second offense: The company may disconnect service without notice when it discovers further fraud. The company may refuse to reconnect service to a customer who has been twice disconnected for fraud.

(3) Company-directed with notice: After properly notifying the customer, as explained in subsection (5) of this section, the company may discontinue service to its customers for any one of the following conditions:

(a) Delinquent regulated charges as billed under WAC 480-90/100-096 106/101 Form of Bills, including any required deposit, except that the company cannot disconnect service for a customer who has met the requirements under medical emergency under this subsection (4) of this section, or as described in WAC 480-100-072, Payment arrangements, [Comment: an explanation to the cross reference to 480-100-072 is necessary] or has agreed to or kept agreed upon payment arrangements with the company;

~~(i) gas service may not be disconnected for any amount owing associated with regulated electric services.~~ [Comment: we are not able to apply payments to a specified service, we are not able to track the balance due on each service]

(b) Natural gas energy use for purposes or properties other than those specified in the customer's application for service;

(c) Under flat rate service for non-metered load, for increased natural gas use without the natural gas company's approval;

(d) Willful waste of natural gas through improper or imperfect wiring, equipment, or otherwise;

- (e) Wiring or equipment that does not meet the company's standards or fails to comply with government regulations or with the natural gas company standards;
- (f) Refusing to allow access to the customer's premise as required in WAC 480-100-091;
- (g) Violating rules, service agreements, or filed tariff(s); or
- (h) Use of equipment that detrimentally affects the company's service to its other customers.

(4) Medical Emergencies - When the company has cause to disconnect or has disconnected a residential service, it must postpone disconnection of service or must reinstate service ~~within four hours~~ for a grace period of five business days after receiving either verbal or written notification of the existence of a medical emergency. When service is reinstated, the company will not require payment of a reconnection charge and/or deposit prior to reinstating service but will bill at a later date.

(a) The company may require that the customer, within five business days, submit written certification from a qualified medical professional stating that the disconnection of natural gas service would significantly endanger the physical health of a resident of the household. "Qualified medical professional" means a licensed physician, nurse practitioner, or physician's assistant authorized to diagnose and treat the medical condition without supervision of a physician. Nothing in this section precludes a company from accepting other forms of certification, but the maximum the company can require is written certification. If the company requires written certification, it may require not more than the following information:

- (i) Residence location;
- (ii) An explanation of how the physical health of the person will be endangered by disconnection of service;
- (iii) A statement of how long the condition is expected to last; and
- (iv) The title, signature and telephone number of the person certifying the condition.

(b) The medical certification is valid only for the length of time the health endangerment is certified to exist but no longer than ~~120 days~~ 30 days unless renewed. [Comment: the current rule states 30 days; no reasons or documentation are presented as to why this should be changed to 120 days.]

(c) A medical emergency does not excuse a customer from paying delinquent and ongoing charges. The company may require the customer do the following within the five-business-day grace period: Pay a minimum of ten percent of the delinquent balance and enter into an agreement to pay the remaining delinquent balance within 120 days; and to pay subsequent bills when due. Nothing in this section precludes the company from agreeing to an alternate payment plan, but the company may not require the customer to pay more than this subsection prescribes. The

company must send a notice to the customer confirming the payment arrangements within two business days.

(d) If within the five-day grace period the customer fails to provide an acceptable medical certificate or ten percent of the delinquent balance, the company may disconnect service without further notice.

(e) If the customer fails to abide by the terms of the payment agreement the company may disconnect service without further notice.

(f) A customer may claim medical emergency and be entitled to the benefits described in this subsection only twice within any 120-day period.

(5) The company must notify customers before disconnecting their service except as addressed in subsection (2). Notification consists of the following requirements:

(a) The company must serve a written disconnection notice on the customer, either by mail or by personal delivery to the customer's address attached to the primary door. If the disconnection notice is for nonpayment during the winter period the company must advise the customer of the payment plan addressed in WAC 480-100-072 , Payment arrangements.

Each disconnection notice must include:

(i) A disconnection date that is no less than eight business days after the date of personal delivery or mailing if mailed from inside the state of Washington or a disconnection date that is no less than eleven days if mailed from outside of the state of Washington; and

(ii) All relevant information about the disconnection action including the amount owing and how to correct the problem; and

(iii) The company's name, address, and telephone number by which a customer may contact the company to discuss the pending disconnection of service.

(b) If the company discovers the notice information is inaccurate, the company must renotify as described in this subsection.

(c) In addition to (a) of this subsection, a second notice must be provided by one of the three options listed below:

(i) Delivered notice - The company must deliver a second notice to the customer service premise and attach it to the customer's primary door. The notice must contain a deadline for compliance that is no less than 5:00 p.m. of the second business day after the time of delivery; or

(ii) Mailed notice - The company must mail a second notice, which must include a deadline for compliance that is no less than 5:00 p.m. of the third business day after the date of mailing if mailed from within the state of Washington or six days if mailed from outside the state of Washington. The day of mailing will not be considered the first day of the notice period, or

(iii) Telephone notice -The company must attempt two times to contact the customer at their residence during regular business

hours. If the company is unable to reach the customer, the company will attempt to contact the customer using any business or message number provided. A log or record of the calls will be kept for a minimum of 90 days showing the telephone number called, the time of the call, and details of the results of each attempted call.

(d) When the service address is different from the billing address, the company must determine if the customer of record and the service user are the same party. If not, the company must notice the service user as described in (a) of this subsection prior to disconnection of service.

(e) Except in case of danger to life or property, companies may not disconnect service on Saturdays, Sundays, legal holidays, or on any other day on which the company cannot reestablish service on the same or following day.

(f) A company employee dispatched to disconnect service must accept payment of a delinquent account at the service address if tendered in cash, but is not required to give change for cash tendered in excess of the amount due and owing. The company must credit any excess payment to the customer's account. When disconnection does not take place due to payment or arrangements made by the customer with the company employee, the company may assess a fee for the disconnection visit to the service address as provided in the company's tariff. The disconnection notice must describe the disconnection visit charge, the amount, and the circumstances under which the charge will be made.

(g) When service is provided through a master meter, or when the utility has reasonable grounds to believe service is to other than the customer of record, the company must undertake reasonable efforts to inform occupants of the service address of the impending disconnection. Upon request of one or more service users, where service is to other than the customer of record, the company must allow five days past the original disconnect date to permit the service users to arrange for continued service.

(h) When service is provided to a hospital, medical clinic with resident patients, or nursing home, notice of pending disconnection must be provided to the secretary of the Washington department of social and health services, and to the customer. Upon request to the company from the Washington department of social and health services secretary or designee, a delay of service disconnection for five business days past the original disconnect date must be allowed before disconnecting service to allow the department to take whatever steps are necessary to protect the interests of resident patients who are the responsibility of the Washington department of social and health services.

(i) Any customer may designate a third party to receive a disconnect notice or other matters affecting the customer's service. When the company discovers that a customer is apparently not able to

understand the affect of the disconnection, the company will consider a social agency to be the third party. In either case, the company will delay service disconnection for five business days after issuing a disconnect notice to the third party. The company will determine which social agencies are appropriate and willing to receive the disconnect notice, the name and/or title of the person able to deal with the disconnection and provide that information to the customer.

(6) Service may not be disconnected while the customer is pursuing any remedy or appeal provided by these rules or while engaged in discussions with the company's representatives or with the commission. However, any amounts not in dispute must be paid when due and any conditions posing a danger to health, safety, or property must be corrected.

(7) Payments at a payment agency - Payment of any past-due amounts to a designated payment agency of the natural gas company constitutes payment when the customer informs the company of the payment and the company has verified the payment.

(8) Reconnecting service after disconnection - The company must restore disconnected service within 24 hours after the customer has paid the amount agreed upon for reconnection. ~~The customer must notify the company of a payment made at a paystation, or at the time the company has agreed to bill, any reconnection charge and:~~ Services shall be restored when:

(a) The causes of disconnection not related to a delinquent account are removed;

(b) The customer pays all regulated charges, including any required deposit and reconnection charge;

(c) The customer has entered into an agreed upon payment arrangement ~~for a delinquent account, and any required deposit; or~~ any balance left unpaid

~~(d) the delinquent account has been designated a prior obligation account, and the customer has paid or made arrangements for a deposit.~~ [Comment: (d) negates (b) and (c)]

ALL CHANGES MADE TO THE ABOVE GAS -071 RULE SHOULD BE INCORPORATED INTO THE FOLLOWING SECTION.

WAC 480-100-071 Discontinuance of service (Electric)

(1) Customer-directed: Customers wanting to discontinue service must notify the electric company. The company must disconnect the service as requested by the customer. If the customer fails to request disconnection of service the customer will be responsible to continue paying for electric service at the company's tariff rate until the company becomes aware that the customer vacated the property.

(2) Company-directed without notice or without further notice: The company may discontinue service without notice or without further notice when:

- (a) After conducting a thorough investigation, it determines the customer has tampered with its property;
- (b) After conducting a thorough investigation, it determines the customer has vacated the premises;
- (c) A customer pays a delinquent account with a check the bank or other financial institution has dishonored after the company has issued appropriate notice, as described in subsection (5) of this section;
- (d) The customer has not kept any agreed upon payment plan for a delinquent balance after a notice was mailed;
- (e) It has determined a customer has used service prior to applying for service. The company must charge the customer for service used in accordance with the company's tariff rate schedule(s); or
- (f) It discovers that a customer has obtained service fraudulently. The company has the burden of proving that fraud occurred. Examples of fraud include when service is connected without the company's knowledge, when service is obtained through false means or representations, or when service is used to provide service to other persons who are required to obtain their own service. A nonsufficient fund check will not be considered fraud.

(i) First offense: The company may disconnect service without notice when it discovers fraud, unless the customer immediately pays:

- (a) The tariff rate for service that the company estimates was taken fraudulently; plus
- (b) All company costs resulting from the fraudulent use; plus
- (c) Any applicable required deposit.

(ii) Second offense: The company may disconnect service without notice when it discovers further fraud. The company may refuse to reconnect service to a customer who has been twice disconnected for fraud.

(3) Company-directed with notice: After properly notifying the customer, as explained in subsection (5) of this section, the company may discontinue service to its customers for any one of the following conditions:

(a) Delinquent regulated charges as billed under WAC 480-100-096, Form of Bills, including any required deposit, except that the company cannot disconnect service for a customer who has met the requirements under medical emergency under this subsection (4) of this section, or as described in WAC 480-100-072, Payment arrangements, or has agreed to or kept agreed upon payment arrangements with the company;

(i) electric service may not be disconnected for any amount owing associated with regulated gas service.

(b) Electrical energy use for purposes or properties other than those specified in the customer's application for service;

- (c) Under flat rate service for non-metered load, for increased electrical energy use without the electric company's approval;
- (d) Willful waste of electrical energy through improper or imperfect wiring, equipment, or otherwise;
- (e) Wiring or equipment that does not meet the company's standards or fails to comply with government regulations or with the electric company standards;
- (f) Refusing to allow access to the customer's premise as required in WAC 480-100-091;
- (g) Violating rules, service agreements, or filed tariff(s); or
- (h) Use of equipment that detrimentally affects the company's service to its other customers.

(4) Medical Emergencies - When the company has cause to disconnect or has disconnected a residential service, it must postpone disconnection of service or must reinstate service within four hours for a grace period of five business days after receiving either verbal or written notification of the existence of a medical emergency. When service is reinstated, the company will not require payment of a reconnection charge and/or deposit prior to reinstating service but will bill at a later date.

(a) The company may require that the customer, within five business days, submit written certification from a qualified medical professional stating that the disconnection of electric service would significantly endanger the physical health of a resident of the household. "Qualified medical professional" means a licensed physician, nurse practitioner, or physician's assistant authorized to diagnose and treat the medical condition without supervision of a physician. Nothing in this section precludes a company from accepting other forms of certification, but the maximum the company can require is written certification. If the company requires written certification, it may require not more than the following information:

- (i) Residence location;
- (ii) An explanation of how the physical health of the person will be endangered by disconnection of service;
- (iii) A statement of how long the condition is expected to last; and
- (iv) The title, signature and telephone number of the person certifying the condition.

(b) The medical certification is valid only for the length of time the health endangerment is certified to exist but no longer than 120 days unless renewed.

(c) A medical emergency does not excuse a customer from paying delinquent and ongoing charges. The company may require the customer do the following within the five-business-day grace period: Pay a minimum of ten percent of the delinquent balance and enter into an agreement to pay the remaining delinquent balance within 120 days; and to pay subsequent bills when due. Nothing in this section precludes the company

from agreeing to an alternate payment plan, but the company may not require the customer to pay more than this subsection prescribes. The company must send a notice to the customer confirming the payment arrangements within two business days.

(d) If within the five-day grace period the customer fails to provide an acceptable medical certificate or ten percent of the delinquent balance, the company may disconnect service without further notice.

(e) If the customer fails to abide by the terms of the payment agreement the company may disconnect service without further notice.

(f) A customer may claim medical emergency and be entitled to the benefits described in this subsection only twice within any 120-day period.

(5) The company must notify customers before disconnecting their service except as addressed in subsection (2). Notification consists of the following requirements:

(a) The company must serve a written disconnection notice on the customer, either by mail or by personal delivery to the customer's address attached to the primary door. If the disconnection notice is for nonpayment during the winter period the company must advise the customer of the payment plan addressed in WAC 480-100-072 , Payment arrangements.

Each disconnection notice must include:

(i) A disconnection date that is no less than eight business days after the date of personal delivery or mailing if mailed from inside the state of Washington or a disconnection date that is no less than eleven days if mailed from outside of the state of Washington; and

(ii) All relevant information about the disconnection action including the amount owing and how to correct the problem; and

(iii) The company's name, address, and telephone number by which a customer may contact the company to discuss the pending disconnection of service.

(b) If the company discovers the notice information is inaccurate, the company must renote as described in this subsection.

(c) In addition to (a) of this subsection, a second notice must be provided by one of the three options listed below:

(i) Delivered notice - The company must deliver a second notice to the customer service premise and attach it to the customer's primary door. The notice must contain a deadline for compliance that is no less than 5:00 p.m. of the second business day after the time of delivery; or

(ii) Mailed notice - The company must mail a second notice, which must include a deadline for compliance that is no less than 5:00 p.m. of the third business day after the date of mailing if mailed from within the state of Washington or six days if mailed from outside the state of Washington. The day of mailing will not be considered the first day of the notice period, or

(iii) Telephone notice -The company must attempt two times to contact the customer at their residence during regular business hours. If the company is unable to reach the customer, the company will attempt to contact the customer using any business or message number provided. A log or record of the calls will be kept for a minimum of 90 days showing the telephone number called, the time of the call, and details of the results of each attempted call.

(d) When the service address is different from the billing address, the company must determine if the customer of record and the service user are the same party. If not, the company must notice the service user as described in (a) of this subsection prior to disconnection of service.

(e) Except in case of danger to life or property, companies may not disconnect service on Saturdays, Sundays, legal holidays, or on any other day on which the company cannot reestablish service on the same or following day.

(f) A company employee dispatched to disconnect service must accept payment of a delinquent account at the service address if tendered in cash, but is not required to give change for cash tendered in excess of the amount due and owing. The company must credit any excess payment to the customer's account. When disconnection does not take place due to payment made by the customer, the company may assess a fee for the disconnection visit to the service address as provided in the company's tariff. The disconnection notice must describe the disconnection visit charge, the amount, and the circumstances under which the charge will be made.

(g) When service is provided through a master meter, or when the utility has reasonable grounds to believe service is to other than the customer of record, the company must undertake reasonable efforts to inform occupants of the service address of the impending disconnection. Upon request of one or more service users, where service is to other than the customer of record, the company must allow five days past the original disconnect date to permit the service users to arrange for continued service.

(h) When service is provided to a hospital, medical clinic with resident patients, or nursing home, notice of pending disconnection must be provided to the secretary of the Washington department of social and health services, and to the customer. Upon request to the company from the Washington department of social and health services secretary or designee, a delay of service disconnection for five business days past the original disconnect date must be allowed before disconnecting service to allow the department to take whatever steps are necessary to protect the interests of resident patients who are the responsibility of the Washington department of social and health services.

(i) Any customer may designate a third party to receive a disconnect notice or other matters affecting the customer's service. When the company discovers that a customer is apparently not able to understand the affect of the disconnection, the company will consider a social agency to be the third party. In either case, the company will delay service disconnection for five business days after issuing a disconnect notice to the third party. The company will determine which social agencies are appropriate and willing to receive the disconnect notice, the name and/or title of the person able to deal with the disconnection and provide that information to the customer.

(6) Service may not be disconnected while the customer is pursuing any remedy or appeal provided by these rules or while engaged in discussions with the company's representatives or with the commission. However, any amounts not in dispute must be paid when due and any conditions posing a danger to health, safety, or property must be corrected.

(7) Payments at a payment agency - Payment of any past-due amounts to a designated payment agency of the electric company constitutes payment when the customer informs the company of the payment and the company has verified the payment.

(8) Reconnecting service after disconnection - The company must restore disconnected service within 24 hours after the customer has paid, or at the time the company has agreed to bill, any reconnection charge and:

(a) The causes of disconnection not related to a delinquent account are removed;

(b) The customer pays all regulated charges, including any required deposit;

(c) The customer has entered into an agreed upon payment arrangement for a delinquent account, and any required deposit; or

(d) the delinquent account has been designated a prior obligation account, and the customer has paid or made arrangements for a deposit..

WAC 480-90-072 Payment arrangements and Moratorium. (Gas)

(1) The natural gas company must offer all residential customers the option of an equal payment plan.

(a) In general, an equal payment plan allows the customer to pay the same amount each month based on a projected usage .

(b) The company is not required to offer the equal payment plan to customers who have been removed from the equal payment plan for nonpayment within the past six months or have more than a two-month balance on their current account.

(c) The company may offer the equal payment plan to any customer when it believes this would be in the best interest of all parties concerned.

(2) When a customer contacts the company regarding a delinquent account or to avoid a delinquent account, the company must offer extended payment arrangements appropriate for both the customer and the company. If the customer and the company cannot agree to a payment arrangement fails to propose payment terms acceptable to the company [Comment: the underscored language is the existing language; again the staff has inserted a change without substantiation] the company will advise the customer of the payment plan described in subsection (5) of this section, if appropriate.

(3) If due to company error the company is delayed in billing the customer, the company must make payments arrangements that are equal to the length of time the customer waited for the bill.

~~(4) If a customer is billed for both gas and electric service and pays a portion of the total amount billed, the company must allow the customer the option of applying the payment to the service of their choice. If the customer makes a partial payment and does not choose which service the payment will apply to, the company must apply the payment to both services on a prorated basis according to the amounts billed for each service. [Comment: We do NOT have the ability to apply payments to a particular service]~~

MORATORIUM

_____ (5) During the winter period the company must offer the following payment plan if the residential space heating customer qualifies under subsection (8) of this section and if the customer agrees:

(a) To a payment plan designed to pay all money owed by the following October 15 and to pay for continued service;

(b) To pay a monthly payment during the winter period of no more than seven percent of the monthly household income during the winter months.

In addition, the customer must pay one-twelfth of any billings from the date application is made through March 15. A customer may agree to pay a higher percentage of their income during this period, but the customer's account will not be considered past due unless payment during this period is less than the amount that was calculated using the formula above;

(c) To notify and provide documentation, if requested, to the company that the customer has received any home heating assistance payment from government and/or private section organization after being approved for the plan. When the company receives this information it must recalculate the payments for the customer.

d) To pay all amounts owed even if customer moves.

(6) If a customer does not keep the payment arrangements as agreed to in this section, the company may discontinue service as directed in WAC 480-100-071, discontinuance of service. The company will also include in the customer's disconnect notice that it will restore service if the customer contacts the company and satisfies the other requirements on this section.

(a) Qualified customers who default on their payment plan and are disconnected in accordance with WAC 480-100-071 shall be reconnected and maintain the protection afforded under this chapter when they:

(i) pay all reconnection charges; and

(ii) pay all amounts that would have been due and

owing. [Comment: needs clarification, the past due account balance is not clear.]

(b) Any customer who has a past due amount owing under this payment plan will not be eligible to reapply for a new extended payment plan.

[Comment: needs clarification, what is a new extended payment plan?]

(7) The company will provide a written copy of the extended payment plan to the customer.

(8) The customer must meet the following requirements in order to qualify for payment arrangements as provided in subsection (5) of this section:

(a) Within five business days of receiving a notice of disconnection, the customer must notify the company in person, in writing, or through telephone contact of not being able to pay the bill or a deposit, unless there are extenuating circumstances;

(b) The customer must provide a statement of household income for the prior twelve months to an energy assistance grantee. The grantee will determine that the household income is not higher than the maximum allowed for eligibility under the state's plan for low-income energy assistance. The grantee will also provide a dollar figure that is seven percent of the household income within thirty days of the date the company was notified of the inability to pay as in (a) of this subsection.

The grantee may verify this certification with the Department of Community Development;

(c) The customer must apply for home energy assistance from appropriate government and/or private sector organizations and certify that any assistance received will be applied to their current and future utility bills;

(d) The customer must apply to the company or other appropriate agencies for low income weatherization assistance if such assistance is available for the dwelling; and

(e) The customer must agree to a payment plan designed to pay the past due bill by the following October 15, as well as paying for continued utility service.

ALL CHANGES MADE TO THE ABOVE GAS -072 RULE SHOULD BE INCORPORATED INTO THE FOLLOWING SECTION.

WAC 480-100-072 Payment arrangements and moratorium. (Electric)

(1) The electric company must offer all residential customers the option of an equal payment plan.

(a) In general, an equal payment plan allows the customer to pay the same amount each month based on a projected usage .

(b) The company is not required to offer the equal payment plan to customers who have been removed from the equal payment plan for nonpayment within the past six months or have more than a two-month balance on their current account.

(c) The company may offer the equal payment plan to any customer when it believes this would be in the best interest of all parties concerned.

(2) When a customer contacts the company regarding a delinquent account or to avoid a delinquent account, the company must offer extended payment arrangements appropriate for both the customer and the company. If the customer and the company cannot agree to a payment arrangement, the company will advise the customer of the payment plan described in subsection (5) of this section, if appropriate.

(3) If due to company error the company is delayed in billing the customer, the company must make payments arrangements that are equal to the length of time the customer waited for the bill.

(4) If a customer is billed for both electric and gas service and pays a portion of the total amount billed, the company must allow the customer the option of applying the payment to the service of their choice. If the customer makes a partial payment and does not choose which service the payment will apply to, the company must apply the payment to both services on a prorated basis according to the amounts billed for each service.

MORATORIUM

_____(5) During the winter period the company must offer the following payment plan if the residential space heating customer qualifies under subsection (8) of this section and if the customer agrees:

(a) To a payment plan designed to pay all money owed by the following October 15 and to pay for continued service;

(b) To pay a monthly payment during the winter period of no more than seven percent of the monthly household income during the winter months.

In addition, the customer must pay one-twelfth of any billings from the date application is made through March 15. A customer may agree to pay a higher percentage of their income during this period, but the customer's account will not be considered past due unless payment during this period is less than the amount that was calculated using the formula above;

(c) To notify and provide documentation, if requested, to the company that the customer has received any home heating assistance payment from government and/or private section organization after being approved for the plan. When the company receives this information it must recalculate the payments for the customer.

d) To pay all amounts owed even if customer moves.

(6) If a customer does not keep the payment arrangements as agreed to in this section, the company may discontinue service as directed in WAC 480-100-071, discontinuance of service. The company will also include in the customer's disconnect notice that it will restore service if the customer contacts the company and satisfies the other requirements on this section.

(a) Qualified customers who default on their payment plan and are disconnected in accordance with WAC 480-100-071 shall be reconnected and maintain the protection afforded under this chapter when they:

(i) pay all reconnection charges; and

(ii) pay all amounts that would have been due and owing.

(b) Any customer who has a past due amount owing under this payment plan will not be eligible to reapply for a new extended payment plan.

(7) The company will provide a written copy of the extended payment plan to the customer.

(8) The customer must meet the following requirements in order to qualify for payment arrangements as provided in subsection (5) of this section:

(a) Within five business days of receiving a notice of disconnection, the customer must notify the company in person, in writing, or through telephone contact of not being able to pay the bill or a deposit, unless there are extenuating circumstances;

(b) The customer must provide a statement of household income for the prior twelve months to an energy assistance grantee. The grantee will determine that the household income is not higher than the maximum allowed for eligibility under the state's plan for low-income energy assistance. The grantee will also provide a dollar figure that is seven percent of the household income within thirty days of the date the company was notified of the inability to pay as in (a) of this subsection. The grantee may verify this certification with the Department of Community Development;

(c) The customer must apply for home energy assistance from appropriate government and/or private sector organizations and certify that any assistance received will be applied to their current and future utility bills;

(d) The customer must apply to the company or other appropriate agencies for low income weatherization assistance if such assistance is available for the dwelling; and

(e) The customer must agree to a payment plan designed to pay the past due bill by the following October 15, as well as paying for continued utility service.

WAC 480-90-076 Service responsibilities. (Gas Version)

(1) Customer responsibility - the customer will notify the gas company in writing, in advance, of all changes in his equipment or usage, which will materially affect the service to be rendered. Such notice will be given within a reasonable time to permit the company to provide the necessary facilities and to acquire additional gas supplies if required. The cost of necessary facilities, if any, will be equitably adjusted between the gas company and the customer unless otherwise provided in the company's filed tariff(s).

(2) Gas company responsibility - each gas company will install and maintain at appropriate locations within its system such equipment as may be necessary to determine the operating characteristics of the system. The commission may require additional equipment in connection with performing special investigations if economically feasible. Written records of gas deliveries, pressures, etc. at such check points will be maintained by the gas company when so designated by the commission.

In case any substantial change is made by the gas company in the character of service rendered, which change would affect the efficiency of operation or the adjustment of the equipment of customers, all customers liable to be affected will be promptly notified by the company. Where adjustments of such equipment need to be made to permit use under such changed conditions, such adjustments will be made, and the cost will be equitably adjusted between the company and the customer. When the customer has been advised of such contemplated change prior to his taking service, or when such change is required by law, the customer will bear all cost in connection with making changes in his own equipment.

A gas company will adopt and maintain as constant as practical a standard pressure of gas as measured at the outlet of any customer's meter and/or the regulator in cases of a high pressure system. Companies will file with the commission the standard pressure adopted as a part of each gas company's schedule of rates, rules and regulations.

A gas company may furnish pressures other than standard to a customer upon mutual agreement between the company and the customer and providing the company can maintain such pressure without adversely affecting the service being provided to other customers in the system.

(3) Maintenance - each gas company will maintain its plant in such condition as will enable it to furnish adequate service and meet applicable state and federal standards.

(4) Interruptions of service - the term "interruptions" as used in this rule refers to the temporary discontinuance of gas flow to any customer or customers due to accident, required repairs or replacements, or to the actions of municipal or other agencies. It does not refer to the discontinuance of gas flow to those customers receiving service under an interruptible service schedule.

Each gas company will make all reasonable efforts to avoid interruptions of service, and, when such interruptions occur, will endeavor to reestablish service with the shortest possible delay.

When it is necessary for a gas company to make repairs to or change its facilities, the company may, without incurring any liability, suspend service for such periods as may be reasonably necessary and in such manner as to minimize the inconvenience to customers. The company will individually notify police and fire departments affected by such suspension. All customers affected by a scheduled interruption will be given notification through newspapers, radio announcements or other means, at least one day in advance.

(5) Record of interruptions - each gas company will keep a record of all interruptions of service affecting 25 or more customers, including in such record the location, the date and time, the duration, and, as far as possible, the cause of each interruption. Companies will submit copies of such records to the commission upon request.

WAC 480-90/100-076 Service responsibilities (Electric Version)

(1) Customer responsibility - the customer will notify the electric company in writing, in advance, of all changes in his equipment or usage, which will materially affect the service to be rendered. The customer will give such notice within a reasonable time to permit the company to provide the necessary facilities and to acquire additional power supply if required. The cost of necessary facilities, if any, will be equitably adjusted between the electric company and the customer unless otherwise provided in the company's filed tariff(s).

(2) Electric company responsibility - each electric company will install and maintain at appropriate locations within its system such equipment as may be necessary to determine the operating characteristics of the system. The commission may require additional equipment in connection with performing special investigations if economically feasible.

In case any substantial change is made by the electric company in the character of service rendered, which change would affect the efficiency of operation or the adjustment of the equipment of customers, the company will promptly notify all customers liable to be affected. Where adjustments of such equipment need to be made to permit use under such changed conditions, such adjustments will be made, and the cost will be equitably adjusted between the company and the customer. When the customer has been advised of such contemplated change prior to his taking service, or when such change is required by law, the customer will bear all cost in connection with making changes in his own equipment.

(3) Maintenance - each electric company will maintain its plant in such condition as will enable it to furnish adequate service and meet applicable state and federal standards.

(4) Interruptions of service - Each electric company will make all reasonable efforts to avoid interruptions of service, and, when such interruptions occur, will endeavor to reestablish service with the shortest possible delay.

When it is necessary for an electric company to make repairs to or change its facilities, the company may, without incurring any liability, suspend service for such periods as may be reasonably necessary and in such manner as to minimize the inconvenience to customers. The company will individually notify police and fire departments affected by such suspension. All customers affected by a scheduled interruption will be given notification through newspapers, radio announcements or other means, at least one day in advance.

(5) Record of interruptions - each electric company will keep a record of all interruptions of service affecting a substantial number of customers, including in such record the location, the date and time, the duration, and, as far as possible, the cause of each interruption. Companies will submit copies of such records to the commission upon request.

WAC 480-100-081 Service entrance facilities. (Electric Version)

(1) Electric companies may require from their customers to:

(a) provide entrance facilities at the easiest access point to its distribution system and

(b) keep those facilities free from tampering or interference.

(2) In order to permit the required clearances, companies may require their customers to provide a structurally sound point of attachment for their service conductors pursuant to the National Electrical Code.

WAC 480-90-086 Service entrance. (Gas Version)

(1) The gas company may require the customer to provide entrance to the premises at the easiest access point to its distribution system. The access must be continuous and free from tampering or interference.

WAC 480-90/100-091 Access to premises.

(1) Authorized personnel of an electric/gas company have the right to enter a customer's property during reasonable hours to perform meter reading, maintenance, testing, installation or removal of the company's property. Customers may ask to see the identification of the electric/gas company personnel before allowing entry to the customer's property.

(2) When maintenance, installation or removal of the company's property results in deterioration/damage to the customer's property, the company will restore the customer's property to a condition as close as possible to the condition prior to the company's action.

WAC 480-90/100-096 Gas/electric company responsibility for complaints and disputes

(x) A customer inquiry will be classified as a "complaint" if there is a belief that a Commission rule has been violated. The Commission staff will document the rule being questioned prior to sending the complaint to the Company for a response.

(1) When a gas/electric company receives a complaint in any form from a customer or an applicant for service it must acknowledge the complaint and

- (a) provide the name of the company contact to the complainant;
- (b) investigate the complaint promptly;
- (c) report the results of the investigation to the complainant;
- (d) take corrective action, if warranted, as soon as appropriate under the circumstances;
- (e) inform the complainant that the decision may be appealed to a supervisor at the company; and
- (f) inform the complainant, if still dissatisfied after speaking with the supervisor, of her/his right to file a complaint with the commission and provide the commission address and toll-free telephone number.

(2) Applicants, customers, or their representatives, may file with the commission:

- (a) an informal complaint as described in 480-09-150 WAC; or
- (b) a formal complaint against the company as described in 480-09-500

WAC.

(3) When the commission refers an informal complaint to the company, the company must:

- (a) investigate and report the results to the commission within two working days. The commission may grant an extension of time for responding to the complaint, if requested and warranted;
- (b) keep the commission informed of progress toward the solution and the final result; and
- (c) the company must respond to commission requests for additional informal complaint information within three days of the request or a date specified..

(4) Each gas/electric company must keep a record of all complaints for at least three years and, on request, make them readily available for commission review.

The record must contain:

- (a) complainant's name and address;
- (b) date and nature of the complaint;
- (c) action taken; and

(d) final result.

WAC 480-90/100-106/101 Billing requirements and payment date

(1) Customer bills must:

- (a) be issued at intervals not to exceed two months;
- (b) show the total amount of the bill;
- (c) show the date the bill becomes delinquent if not paid.
- (d) include the company's business address, telephone number and emergency telephone number by which a customer may contact the company;
- (e) include the current and previous meter reading, the current read date, and the total amount of therms/KWH used ~~and the rate per therm/KWH~~; [Comment: Companies currently do not have the capability to provide this information; reprogramming costs would be incurred if this rule goes into effect. We provide pamphlets each year on how to calculate bills.]

(f) show energy usage comparison including information for the current and the previous year for the following:

- ~~(i) energy usage comparison for billing period by months;~~
- ~~(ii) number of days in billing period;~~
- ~~(iii) therms/KWH used;~~

[Comment: Again companies currently do not have the capability to provide this information; reprogramming costs would be incurred if this rule goes into effect.]

- (iv) average therms/KWH use per day;
- (v) average temperature per day;

(g) show taxes ~~and any tax percentage rate that the taxes are computed from. Taxes must also be totaled to show a total tax amount.~~ [Comment: We show taxes but do not show how they are calculated. This may be a responsibility better borne by the taxing jurisdiction. Again companies currently do not have the capability to provide this information; reprogramming costs would be incurred if this rule goes into effect.]

(h) clearly identify when a bill has been prorated. Prorating is when a service is rendered for a fraction of the billing period. The charge will be prorated in the following manner:

- (i) a flat rate service will be prorated on the basis of the proportionate part of the period service that was rendered.
- (ii) a metered service will be billed for the amount metered, except the minimum charges will be the applicable minimum as shown in the tariff.

(iii) clearly identify when a bill is based on an estimation. A utility shall submit to the commission its method(s) for estimating customer bills.

(iv) companies may not estimate for more than two consecutive billing cycles.[Comment: this is restrictive for many reasons including whether customers have provided access to the meter at all times.]

(v) clearly identify determination of maximum demand. Companies delivering gas/electricity to a customer on a demand basis must detail in their filed tariff the method of applying charges and of ascertaining the demand.

(2)The minimum time allowed for payment after the bill's mailing date must be fifteen days, if mailed within the state of Washington, or eighteen days if mailed outside the state of Washington.

(3) A customer may request to pay by a certain date that is not the normally designated payment date when showing good cause. Good cause may include, but is not limited to, adjustment of a billing cycle to parallel receipt of income. The preferred payment date must be prior to the next invoice date.

480-90/100-21/311 Payment locations.

(1) Gas/electric companies must provide payment agencies in convenient locations where applicants and customers can make cash and urgent payments as needed to receive service. Payment agencies will clearly post and maintain regular business hours.

(2) The companies will provide receipts for any cash payments made by the applicants or customers

(3) The companies will provide, at a minimum, a toll-free telephone number for applicants and customers to receive information relating to services and rates; to accept and process applications for service; to explain charges on customer bills; to adjust charges made in error; and to generally act as representatives of the company.

(4) The companies must provide written notice to ~~its customers and the commission~~ at least thirty days prior to the closing of any business office ~~or payment agency~~. [Comment: paystations change periodically, at the paystations discretion, without a 30 day notice to the utility] At a minimum, the following information is required:

(a) The communities affected by the closing;

(b) The date of the closing;

(c) A listing of other methods and facility locations available for payment of cash or urgent payments.

PROPOSED NEW RULE:

480-100-XX4 Customer notification prior to commission action (Electric)

(1) Who must receive notice?

At a minimum, the electric company must notify:

~~_____ (a) all customers who may be directly affected by the company's proposal; and~~

~~(b) the public affairs section of the commission.~~

[Comments: Some may argue that any change may affect all customers in some manner (e.g., allocations, overhead, etc.); therefore, this should be applicable to those who see, for example, a change in rates. Further, WAC 480-09-100(3) directs that all correspondence be directed to the Secretary.]

~~(2) The company must submit a draft notice to the commissions' public affairs department at least one week prior to the company's planned printing date for distribution. [Comment: The following sections are prescriptive enough such that the above paragraph is redundant. Utilities can voluntarily provide such material should they choose.]~~

(3) When is prior customer notice required?

Customers must receive thirty days notice prior to the requested effective date when an electric company proposes to:

(a) increase rates;

~~_____ (b) change terms and/or conditions of an existing service;~~

(c) change the ownership or control of the operating company (see chapter 480-143 WAC for content of notice);

~~_____ (d) institute a charge for a service that was formerly provided without charge; or~~

~~(e) to eliminate or grandfather any service.~~

[Comments: The above edits recognize that there is sufficient lead time to prepare and mail notices 30 days prior to the effective date for general rate cases and transfer of ownership. The immediately following section recognizes that items for approval upon 30 day notice would cause problems to have the 28 day billing cycle completed prior to the 30 day notice period. The staff's proposed rule would, in fact, cause an item to have a 60 day notice period.]

Customers must receive ~~thirty days~~ notice prior to the requested effective date when an electric company proposes to:

~~(a) increase rates;~~

(b) change terms and/or conditions of an existing service;

~~(c) change the ownership or control of the operating company (see chapter 480-143 WAC for content of notice);~~

(d) institute a charge for a service that was formerly provided without charge; or

(e) to eliminate or grandfather any service.

(4) Content of notice for (3)(a).

Customer notice, at a minimum, must contain:

1. date the notice is issued;
 2. company name and address;
- (c) a clear explanation of the proposal for customers to understand the proposed change and the impact of the change;
- (d) the company's reasons for the change (use examples as needed);
- (e) a comparison of current and proposed rates by service;
- (f) an example of the proposal based on an average customer's use (for example: an average residential customer uses x KWHs a month. Usage x proposed rate = \$ per month.)
- (g) when the rates will be billed (i.e., monthly or bi-monthly);
- (h) requested effective and/or implementation date;
- (i) total annual revenue increase or percentage of increases for each individual customer class, service and/or categories contained in the company's proposal;
- (j) an explanation that the commission has the authority to set final rates that may vary from the company's request and maybe either higher or lower depending on the results of the investigation;
- (k) a description of how and where the customers may contact the company should they have specific questions or need additional information regarding the proposal; and
- (l) public involvement language as follows: If you have questions about the rate making process, you may contact the Washington Utilities and Transportation Commission at the following address:

Secretary, Washington Utilities & Transportation Commission
P.O. Box 47250,
Olympia, WA 98504-7250
1-800-562-6150 (toll free)
comments@wutc.wa.gov

If you would like to comment on this proposal, it is important for you to do so now. Comments must be submitted in writing or presented at the commission's open meeting to be included as part of the formal record. The commission is interested in receiving your views regarding this proposal whether in favor or not. All open meetings are held in Olympia, WA. If you would like to be added to the commission's mailing list to be notified of the open meeting date please call

1-800-562-6150 and leave your name, complete mailing address including your company's name and a description of the proposal you are interested in.

[Comment: The immediately preceding paragraph recognizes the volume of information necessary for customers as a function of the filing. The following revisions recognizes that other types of filings may not be amenable to the above requirements.]

Content for the notice for (3)b, c, d, and e.

At a minimum the notice after commission action for (3)b, c, d, and e must include:

- (a) a clear description of changes to rates or services resulting from the commission's decision;
- (b) the effective date; and
- (c) a company phone number where customers may seek additional information.

(5) Authorized methods of providing customer notice:

- (a) enclosed with the customers' bill;
- (b) directly mailed to all affected customers separately (examples: postcard or letter); or
- (c) a bill message, provided all the content requirements listed above, are met.

PROPOSED NEW RULE:

480-100-XX5 Customer notice after commission action (Electric)

~~(1) The company must submit a draft notice to the commissions' public affairs department at least one week prior to the company's planned printing date for distribution.~~ [Comment: The following sections are prescriptive enough such that the above paragraph is redundant. Utilities can voluntarily provide such material should they choose. Should this rule be proposed and accepted, some affirmative action by the Commission should be required upon provision of such material.]

(2) Who must receive notice?

- At a minimum, the electric company must notify:
- ~~(a) all customers who may be directly affected by the company's proposal; and~~
 - ~~(b) the public affairs section of the commission.~~

[Comments: Some may argue that any change may affect all customers in some manner (e.g., allocations, overhead, etc.); therefore, this should be applicable to those who see, for example, a change in rates. Further, WAC 480-09-100(3) directs that all correspondence be directed to the Secretary.)

(3) Companies must notice all affected customers, after the commission's action but prior to implementation, when:

- (a) federal, state, county or city imposed taxes, fees, or surcharges have increased;
- (b) rate decreases or credits are issued;
- (c) a company proposes to increase a non-recurring charge. (For example, but not limited to, disconnect visit charge, returned check charge, connection or reconnection charge, late payment charge, or conservation program filings).

(4) Content for the notice.

At a minimum the notice after commission action must include:

- (a) a clear description of changes to rates or services resulting from the commission's decision;
- (b) the effective date; and
- (c) a company phone number where customers may seek additional information.

(5) Authorized methods of providing customer notice:

- (a) a bill message;
- (b) enclosed in a customer's bill;
- (c) included in a company newsletter if the publishing of the newsletter coincides with the effective date of the approved change; or
- (d) mailed separately to customers.

PROPOSED NEW RULE:

480-90/100-XX6 Other customer notice (Gas and Electric)

(1) The commission may require other notification to the public as it determines to be in the public interest.

FOR -XX7 AND -XX8, THE SAME EDITS SHOULD BE MADE AS CONTAINED IN THE ABOVE SECTION RELATING TO ELECTRIC NOTICE
PROPOSED NEW RULE:

480-100-XX7 Customer notification prior to commission action (Gas Version)

(1) Who must receive notice?

At a minimum, the electric company must notify:

- (a) all customers who may be affected by the company's proposal; and
- (b) the public affairs section of the commission.

(2) The company must submit a draft notice to the commissions' public affairs department at least one week prior to the company's planned printing date for distribution.

(3) When is prior customer notice required?

Customers must receive thirty days notice prior to the requested effective date when an electric company proposes to:

- (a) increase rates;
- (b) change terms and/or conditions of an existing service;
- (c) change the ownership or control of the operating company (see chapter 480-143 WAC for content of notice);
- (d) institute a charge for a service that was formerly provided without charge; or
- (e) to eliminate or grandfather any service.

(4) Content of notice.

Customer notice, at a minimum, must contain:

- 3. date the notice is issued;
- 4. company name and address;
- (c) a clear explanation of the proposal for customers to understand the proposed change and the impact of the change;
- (d) the company's reasons for the change (use examples as needed);
- (e) a comparison of current and proposed rates by service;
- (f) an example of the proposal based on an average customer's use (for example: an average residential customer uses x KWHs a month. Usage x proposed rate = \$ per month.)
- (g) when the rates will be billed (i.e., monthly or bi-monthly);
- (h) requested effective and/or implementation date;
- (i) total annual revenue increase or percentage of increases for each individual customer class, service and/or categories contained in the company's proposal;
- (j) an explanation that the commission has the authority to set final rates that may vary from the company's request and maybe either higher or lower depending on the results of the investigation;
- (k) a description of how and where the customers may contact the company should they have specific questions or need additional information regarding the proposal; and
- (l) public involvement language as follows: If you have questions about the rate making process, you may contact the Washington Utilities and Transportation Commission at the following address:

Secretary, Washington Utilities & Transportation Commission
P.O. Box 47250,
Olympia, WA 98504-7250

1-800-562-6150 (toll free)
comments@wutc.wa.gov

If you would like to comment on this proposal, it is important for you to do so now. Comments must be submitted in writing or presented at the commission's open meeting to be included as part of the formal record. The commission is interested in receiving your views regarding this proposal whether in favor or not. All open meetings are held in Olympia, WA. If you would like to be added to the commission's mailing list to be notified of the open meeting date please call 1-800-562-6150 and leave your name, complete mailing address including your company's name and a description of the proposal you are interested in.

- (5) Authorized methods of providing customer notice:
- (a) enclosed with the customers' bill;
 - (b) directly mailed to all affected customers separately (examples: postcard or letter); or
 - (c) a bill message, provided all the content requirements listed above, are met.

PROPOSED NEW RULE:

480-100-XX8 Customer notice after commission action (Gas Version)

- (1) The company must submit a draft notice to the commissions' public affairs department at least one week prior to the company's planned printing date for distribution.
- (2) Who must receive notice?
At a minimum, the electric company must notify:
- (a) all customers who may be affected by the company's proposal;
- and
- (b) the public affairs section of the commission.
- (3) Companies must notice all affected customers, after the commission's action but prior to implementation, when:
- (a) federal, state, county or city imposed taxes, fees, or surcharges have increased;
 - (b) rate decreases or credits are issued;
 - (c) a company proposes to increase a non-recurring charge. (For example, but not limited to, disconnect visit charge, returned check

charge, connection or reconnection charge, late payment charge,
or conservation program filings).

General Common Rules:

WAC 480-90-011 Application of rules (gas version).

(1) These rules apply to any company that manufactures, transmits, distributes, sells, or furnishes gas and is subject to commission jurisdiction under RCW 80.04.010 and Chapter 80.28 RCW.

(Revised based on water and other rule revisions)

WAC 480-100-011 Application of rules (electric version).

(1) These rules apply to any company that generates, transmits, and distributes electricity and is subject to commission jurisdiction under RCW 80.04.010 and Chapter 80.28 RCW.

(Revised based on water and other rule revisions)

WAC 480-90/100-xx1 Exemptions from rules.

(1) The commission may grant an exemption of any rule in this chapter, when doing so is consistent with the public interest, the purposes underlying regulation, and applicable statutes.

(2) To request a rule exemption, a person must file with the commission a written request identifying the rule for which an exemption is sought and giving a full explanation of the reason the exemption is requested.

(3) The commission will assign the request a docket number, if needed, and schedule the request for consideration at one of its regularly scheduled open meetings or, if appropriate under chapter 34.05 RCW, in an adjudication. The commission will notify the person requesting the exemption, and other interested persons, of the date the commission will consider the request.

(4) The commission will enter an order granting or denying the request or setting it for hearing, pursuant to chapter 480-09 WAC.

(Extracted from 480-90-011 and revised based on water and other rule revisions)

WAC 480-90/100-xx2 Resolving disputes about the meaning of these rules.

(1) Anyone who doubts, or believes they are harmed by, a gas/electric company's interpretation of these rules may ask the commission to decide whether the gas/electric company's interpretation is wrong. If the commission finds the gas/electric company's interpretation is wrong, the commission will order appropriate relief.

(2) Any gas/electric company that doubts, or believes it is harmed by, a customer's interpretation of these rules may ask the commission to decide whether the customer's interpretation is wrong. If the commission finds the customer's interpretation is wrong, the commission will order appropriate relief.
(Extracted from 480-90-011 and revised)

WAC 480-90/100-016 Saving clause.

(1) The commission may impose additional or different requirements on any gas/electric company in response to an application, a complaint, or on its own motion. These rules do not relieve any gas/electric company from any duties and obligations under the laws of the state of Washington.

(Revised per water and other rule revisions)

WAC 480-90-021 Glossary (gas version).

British thermal unit (Btu) - the quantity of heat required to raise the temperature of one pound of water at 60° Fahrenheit and standard pressure, one degree Fahrenheit.

(1) Commission - the Washington utilities and transportation commission.

(2) Cubic foot of gas - a volumetric unit of measure used in sales and testing.

(a) Sales - a cubic foot of gas for billing purposes is the amount of gas that occupies a volume of one cubic foot under the temperature and pressure conditions existing in the customer's meter. Temperature and/or pressure recording or compensating devices may be used to reflect temperature or pressure base conditions for computing the volume sold. Temperature and/or pressure compensation factors may be used to compute the volume of gas sold as provided in the utility's tariff.

(b) Testing - a cubic foot of gas for testing purposes is the amount that occupies a volume of one cubic foot at a temperature of sixty degrees Fahrenheit and pressure of 14.73 pounds per square inch absolute.

- (3) Customer - any person, cooperative organization, business entity, or government entity that receives, or applies for, utility service.
- (4) Gas - any fuel or process gas, whether liquid petroleum gas, manufactured gas, natural gas, or any mixture of these.
 - (a) Liquefied petroleum gas - a gas consisting of vapors of one or more of the paraffin hydrocarbons, or a combination of one or more of these vapors with air.
 - (b) Manufactured gas - any gas produced artificially by any process in-
 - (c) Natural gas - a mixture of gaseous hydrocarbons (chiefly methane) and nonhydrocarbons that occur naturally in the earth.
- (5) Therm - a unit of heat equal to 100,000 Btu's.
- (6) Utility - any business entity (e.g., corporation, company, association, joint stock association, or partnership) or person, including a lessees, trustee, or court appointed receiver, that meets the three following conditions:
 - a. owns, controls, operates, or manages any gas plant Washington State;
 - b. furnishes gas service to the public for compensation; and
 - c. is subject to the commission's jurisdiction.

Terms used in this chapter and defined in the public service laws of Washington State (*i.e.*, principally Title 80 RCW) have the same meaning here as in the statutes. Terms not defined in these rules or the applicable statutes have the meaning generally accepted in the gas industry, or their ordinary meaning if there is no meaning generally accepted in the gas industry.

(Revised)

WAC 480-100-021 Glossary.

- (1) Commission - the Washington utilities and transportation commission.
- (2) Customer - any person, cooperative organization, business entity, or government entity that receives, or applies for, utility service.
- (3) Energy assistance grantee - a grantee of the department of community, trade, and economic development which administers federally funded energy assistance programs.
- (4) Household income - the total income of all household members as determined by a grantee of the department of community, trade, and economic development.
- (5) Meter tests
 - (a) Periodic test - a routine test made in the regular course of a utility's operation.
 - (b) Complaint test - a test made as a result of a request by a customer.

(c) Installation test - a test made prior to the installation of a meter. New meters when received by a utility may be tested by an acceptable sampling plan prior to initial installation.

(d) Special test - any test other than a periodic, complaint, or installation test.

(e) Sample test - a test made as a result of the inclusion of a meter in a random statistical sample.

(6) Payment arrangement - payment schedule by written or oral agreement between the customer and the utility

(7) Payment plan - payment schedule by written agreement between the customer and the utility under WAC 480-100-072(3).

(8) Utility - any business entity (e.g., corporation, company, association, joint stock association, or partnership) or person, including a lessee, trustee, or court appointed receiver, that meets the three following conditions:

(a) owns, controls, operates, or manages any electric plant in Washington State;

(b) generates, transmits, and distributes electricity to the public for compensation; and

(c) is subject to the commission's jurisdiction.

(9) Winter period - November 15 through March 15.

Terms used in this chapter and defined in the public service laws of Washington State (*i.e.*, principally Title 80 RCW) have the same meaning here as in the statutes. Terms not defined in these rules or the applicable statutes have the meaning generally accepted in the electric industry, or their ordinary meaning if there is no meaning generally accepted in the electric industry.

WAC 480-90/100-026 Tariffs.

(1) A utility must publish its rate schedules, and rules and regulations governing services in accordance with chapter 480-80 WAC utilities general - tariffs.

(Revised)

WAC 480-90/100-061 Contract for service.

(1) A gas/electric company may execute a contract whenever the classification of service under which the customer or applicant is to be served requires that such service be taken for a specified minimum period. The utility

must submit to the Commission a sample copy of each typical contract form currently in use.

WAC 480-90/100-066 Distribution extension tariff

(1) Each gas/electric company must file, as a part of its tariff, a distribution extension rule setting forth the conditions under which it will extend its facilities to make service available to an applicant.

Accounting, Reporting, and PGA Rules:

WAC 480-90/100-031 Accounting.

(1) Gas/electric companies in the state of Washington must use the uniform system of accounts applicable to major and non-major gas/electric utilities as published by the Federal Energy Regulatory Commission in the Code of Federal Regulations.

(2) Gas/electric companies having multi-state operations must maintain records in such detail that the costs of property located and business done in this state in accordance with geographic boundaries can be readily ascertained.

(3) Any deviation from the uniform system of accounts, as published by the FERC, will only be accomplished after due notice and order of this commission.

WAC 480-90/100-03x Reporting (separated from accounting rule).

Annual Report

(1) Gas/electric companies will use the annual report form (FERC Form No. 2/1) promulgated by the Federal Energy Regulatory Commission for purposes of annual reporting to this commission. Data required by RCW 80.04.080, Annual Reports, but not included in the FERC Form No. 2/1, must also be submitted with the annual report. Companies must send the annual report for the preceding calendar year by May 1 of each year.

(2) Gas/electric companies with multi-state operations must also submit to this commission a supplement to its annual report which includes the amount of property, revenues, expenses, taxes, depreciation, etc., necessary to furnish gas/electric utility service to its customers in the state of Washington. The

supplement to the annual report must include the average customer count and total unit sales per customer class for the calendar year.

(3) Gas/electric companies must submit the cost allocation methods necessary to develop results of operations for the state of Washington with the annual report. Acceptance of cost allocation schemes for rate making purposes is only accomplished by Commission order.

(4) The total company results of operations reported by each gas/electric company in its annual report to the commission must agree with the results of operations shown on its books and records.

Commission Basis Reports (Annual)

_____ (5) The intent of the "Commission Basis" report is to depict the gas/electric operations of a utility under normal temperature and gas/power supply conditions during the reporting period. Companies must report gas/electric booked results of operations and rate base along with the necessary adjustments as accepted by the commission in the company's most recent general rate case or subsequent orders. Companies must adjust their actual results of operations for out of period items; non-operating, non-recurring, extraordinary items; or any other item that materially distorts reporting period earnings and rate base. Companies must adjust booked revenues and gas/power supply expenses to reflect operations under normal temperature and gas/power supply conditions before the achieved return on rate base is calculated. Commission Basis reports should not include adjustments that annualize price, wage, or other cost changes during a reporting period, nor new theories or approaches which have not been previously addressed and resolved by the Commission.

Companies must submit the basis of any cost allocations and the allocation factors necessary to develop the commission basis results of operations for the state of Washington.

Commission Basis reports are due within four months of the end of a company's fiscal year.

Monthly Reports

_____ (6) Gas/electric companies must file ~~quarterly~~ a report of the three monthly actual Washington operations within 45 days of the end of each quarter. The report must contain the three monthly balances, ~~the quarterly ending balances, and the latest 12 months ending balance~~ for all accounts of the uniform system of accounts. The report must include the average customer count and total unit sales per customer class for each reported period. The company (Gas utilities only) must also include a summary of the activity and balances in account 191, Unrecovered Purchased Gas Costs (PGA). The summary must show PGA incentive amounts included in account 191.

[Comment: This proposed rule would add a layer of reporting by requiring quarterly reports in addition to monthly reports. The quarterly and 12 months ended requirement would add allocations to a multi-state jurisdictional utilities' workloads. Avista had understood that this proposed rule, as discussed in the workshop, would be simply filing monthly reports four times a year rather than 12 times, with no other changes to the rule.

The 45 day period would be the minimum time necessary to file the PGA information.]

Additional Reports

_____(7) Additional data may be requested by this commission, or its authorized signatory.

WAC 480-90/100-032 Accounting--Political information and political education activities.

(1) Expenses for lobbying or political information or education activities must be booked to non-operating accounts and will not be allowed for rate making purposes.

(2) Political information and political education activities include, but are not limited to:

- (a) Encouraging support or opposition to ballot measures, legislation, candidates for an office, or current public office holders.
- (b) Soliciting support for political action committees.
- (c) Gathering data for political mailing lists.
- (d) Soliciting political contributions or recruiting political volunteers.

(May consider combining this rule with 043 advertising)

WAC 480-90/100-036 Securities, affiliated interests, transfers of property.

(1) A gas/electric company that issues securities must file with the commission a statement in accordance with chapter 80.08 RCW and chapter 480-146 WAC.

(2) A gas/electric company that enters into an arrangement with an affiliated interest must file with the commission a verified copy of the contract or arrangement in accordance with chapter 80.16 RCW and chapter 480-146 WAC.

(3) A gas/ electric company that transfers property must apply for, and obtain, commission approval in accordance with chapter 80.12 RCW and chapter 480-143 WAC.

WAC 480-90/100-043 Advertising.

(1) Direct and indirect expenditures for political advertising must be booked to non-operating accounts and will not be allowed for rate making purposes. Direct and indirect expenditures for promotional advertising must be booked to non-operational accounts, but may be considered for rate making purposes if public benefits are clearly demonstrated by the gas/electric company.

(a) The term "political advertising" means advertising to influence public opinion with respect to legislative, administrative, or electoral matters, or with respect to any controversial issue of public importance.

(b) The term "promotional advertising" means advertising to encourage any person or business to select or use the service or additional services of an electric/gas company, to select or install any appliance or equipment designed to use the electric/gas company's service, or to influence consumers' opinions of the electric/gas company.

(3) As used in this rule the terms "political advertising" and "promotional advertising" do not include:

(a) advertising which informs customers how to conserve energy or how to reduce peak demand for energy.

(b) advertising required by law or by regulation, including advertising under Part 1 of Title II, of the National Energy Conservation Policy Act;

(c) advertising regarding service interruptions, safety measures, or emergency conditions;

(d) advertising concerning employment opportunities with the electric/gas company

(e) announcements or explanations of existing or proposed tariffs or rate schedules,

(f) notices of meetings or commission hearings concerning electric/gas company rates and tariffs.

WAC 480-90/100-181/211 Retention and preservation of records and reports.

(1) The gas company must retain all records and reports for three years unless otherwise specified in subsection (2) of this section. No records may be destroyed prior to the expiration of the time specified in subsection (2) of this section.

(2) The *Regulations to Govern the Preservation of Records of Electric, Gas and Water Companies*, published by the National Association of Regulatory Utility Commissioners is prescribed as the requirement for the state of Washington. This document is available at the commission branch of the Washington state library. The commission secretary will provide a copy of the document on request, subject to any charge, or it may be ordered directly from the Association of Regulatory Utility Commissioners.

WAC 480-90-xx9 Purchased gas adjustment (Gas Specific - new rule).

(1) A purchased gas adjustment (PGA) is a deferred accounting and rate adjustment procedure that gas companies use to recover their gas costs. A PGA includes two separate components; a projection of future gas costs, and a true up for deferred balances. Gas companies periodically file separate tariff rates to recover expected future gas cost increases and deferred balances.

(2) A gas company must include its PGA procedures in its tariff.

(3) A gas company must make a PGA filing at least annually. If the company believes that a PGA filing is unnecessary in any given year, then it must file a statement demonstrating why a rate change is not necessary.

Metering Rules:

WAC 480-100-086 Meter location. (Electric)

(1) Subject to the companies' requirements, customers must provide a place to install the metering equipment that is:

- (a) readily accessible to company employees without risks of bodily harm and
- (b) free from vibration, corrosive atmosphere, and abnormal temperatures

(2) Upon request by a customer or their representative, electric companies must provide a written description of acceptable meter installation parameters applicable to the customer's electrical service needs.

WAC 480-100-126 Meter readings, multipliers, and test constants. (Electric)

(1) Electric companies must use electric meters or other such devices to accurately record or indicate the quantity of electricity sold to consumers. Such

measuring devices will allow for utilities to calculate a customer's consumption in units of kilowatt-hours or other units the commission may approve.

(2) Electric companies that decide to measure a customer's consumption with a device that employs a multiplier or calculate consumption from recording devices must provide customers with information sufficient to enable the customer to compute the quantity consumed, if requested.

(3) Indirect reading meters and those that operate from instrument transformers must have the multiplier plainly marked on the dial of the instrument or otherwise suitably marked. All charts taken from recording meters must be marked with the date of the record, the meter number, customer name, and chart multiplier.

(4) The watt-hour constant for the meter itself must be placed on all watt-hour meters.

WAC 480-90-126 Meter Reading (Gas)

(1) The meter is required to record or indicate the volume of gas measured in units of cubic feet or other volumetric unit. The gas company, upon request, must supply the customer with all variables and formulas to enable the customer to compute billable units, typically therms.

WAC 48-90/100-141/131 Identification of meters.

(1) Gas/electric companies must identify each meter by a unique series of serial numbers, letters or combination of both, placed in a conspicuous position on the meter, along with the company's name or initials.

WAC 480-90-136 Meter set assembly location. (Gas)

(1) A meter set assembly may include a meter, regulator, valve, and adjacent components. The meter set assembly must be accessible to the gas company to read, inspect, repair, test, and make changes. The meter set assembly must be placed, whenever possible, away from doors, windows, building overhangs, intake ducts, and other outside areas where gas can accumulate and migrate into buildings.

(2) All meter set assemblies will be located outside buildings unless prior approval by the Commission.

(3) The gas company must protect a meter set assembly with a protective barrier whenever damage by vehicles or marine traffic can occur.

**WAC 480-100-136/141/146 Accuracy requirements for electric meters.
(Electric)**

Initial accuracy

_____ (1) All meters must be in good order and adjusted to register as nearly correct as practicable prior to being put into service. All meters in service must be sealed by the use of a sealing device acceptable to the commission.

(2) Before returning a meter to service, the electric company must:

- (a) inspect the meter for correctness of register ratio and register constant,
- (b) repair or replace all worn or damaged parts, and
- (c) if necessary, recalibrate the meter to measure accurately.

Watt-hour meter accuracy

_____ (3) The requirements for watt-hour meters used for measuring electrical quantities supplied include:

(a) All meters must be of proper design for the circuit on which they are used, be in good mechanical and/or electronic condition, have adequate insulation, correct internal connections, and correct register.

(b) Mechanical meters must not creep at "no load" more than one full revolution of the disk in five minutes when:

- (i) the load wires are disconnected and potential is impressed, or
- (ii) in a shop test where the load wires are disconnected and the permissible voltage variation is impressed.

(4) All meters must be capable of registering no more than plus or minus 2.0 percent error when subject to a test current ranging between 5 and 10 percent of the meter's rating, at the meter's rated voltage, and at unity power factor.

(5) All meters must be capable of registering no more than plus or minus 2.0 percent error when subject to a test current ranging between 75 and 150 percent of the meter's rating, at the meter's rated voltage, and at unity power factor.

(6) All meters must be capable of registering no more than plus or minus 3.0 percent error when subject to a 100 percent rated test current, at the meter's rated voltage, and at a 50 percent lagging power factor.

(7) All polyphase meters must have the elements in balance within 2.0 percent when subject to a 100 percent rated test load at both unity and 50 percent lagging power factor.

**WAC 480-100-136/141/146 Accuracy requirements for electric meters.
(Electric)**

Initial accuracy

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- (a) inspect the meter for correctness of register ratio and register constant,
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 - (c) if necessary, recalibrate the meter to measure accurately.

Watt-hour meter accuracy

_____ (3) The requirements for watt-hour meters used for measuring electrical quantities supplied include:

(a) All meters must be of proper design for the circuit on which they are used, be in good mechanical and/or electronic condition, have adequate insulation, correct internal connections, and correct register.

(b) Mechanical meters must not creep at "no load" more than one full revolution of the disk in five minutes when:

- (i) the load wires are disconnected and potential is impressed, or
- (ii) in a shop test where the load wires are disconnected and the permissible voltage variation is impressed.

(4) All meters must be capable of registering no more than plus or minus 2.0 percent error when subject to a test current ranging between 5 and 10 percent of the meter's rating, at the meter's rated voltage, and at unity power factor.

(5) All meters must be capable of registering no more than plus or minus 2.0 percent error when subject to a test current ranging between 75 and 150 percent of the meter's rating, at the meter's rated voltage, and at unity power factor.

(6) All meters must be capable of registering no more than plus or minus 3.0 percent error when subject to a 100 percent rated test current, at the meter's rated voltage, and at a 50 percent lagging power factor.

(7) All polyphase meters must have the elements in balance within 2.0 percent when subject to a 100 percent rated test load at both unity and 50 percent lagging power factor.

(8) All meters used with instrument transformers must be adjusted so that the over-all accuracy of the metering installation will meet the requirements of this rule.

(9) Adjustment for such errors is not necessary when instrument transformers with the following accuracy characteristics are used:

(a) Instrument current transformers: The combined effect of ratio error and phase angle on the accuracy of the meter at any load power factor from 60 percent lagging to unity does not exceed 0.6 percent at 10 percent rated current, or 0.3 percent at 100 percent rated current.

(b) Instrument potential transformers: The combined effect of ratio error and phase angle on the accuracy of the meter from 90 percent rated voltage to 110 percent rated voltage, at any load power factor from 60 percent lagging to unity, does not exceed 0.3 percent.

Demand meter accuracy

_____ (10) The requirements for demand meters, demand registers, or demand attachments used to measure a customer's service include:

(a) The device must be in good mechanical and electrical condition.

(b) The device must have the proper multiplier, indicating scale, resetting apparatus, and contact device if used.

(c) The device must not register at no load.

(d) The device must achieve the following accuracies:

(e) Curve-drawing meters that record quantity-time curves, and integrated-demand meters must be accurate to within plus or minus 2.0 percent of full scale throughout their working range.

(11) Timing elements measuring specific demand intervals must be accurate to within plus or minus 2.0 percent and the timing element that provides the time of day record of when the demand occurs must be accurate to within plus or minus 4 minutes in 24 hours.

(12) Lagged-demand meters must be accurate to within plus or minus 4.0 percent of final indication.

WAC 480-90/100-161/171 Complaint Meter Test (new combined rule)

WAC 480-90/100-161/171 Complaint Meter Test

*WAC 480-90/100-156/166 Dispute as to meter accuracy

**WAC 480-90/100-116/111 Refund for inaccurate metering

(1) The gas/electric company must test the accuracy of a meter within ten business days after receiving a request from a customer. The company must allow the customer to order one meter test free of charge during a twelve month period.

(2) The customer may either witness the meter test or designate a representative to witness the test. The customer may require the meter to be sealed upon removal in the customer's or the representative's presence. The seal must not be broken until the test is made in the customer's or the representative's presence, or until permission to break the seal has been granted by the commission. The company must report the results of the meter test to the customer.

(3) A customer may request the company to perform additional meter tests. The company must immediately inform the customer of the meter charges. If the customer elects to have the meter test performed, the company will perform the test and report the test results within ten business days to the customer. If the additional meter test results show the meter is performing accurately as described in WAC 480-90/100-146/141, Initial Accuracy of meters (gas)/Accuracy of watthour meters(electric), the company must charge the customer for performing the additional meter tests. The charge of the meter test will be listed in the company's tariff. The company may not charge the customer for any meter test resulting in inaccurate results.

(4) If the customer disputes either meter test result, the company or the customer may contact the commission to review the complaint. When the commission has notified the company that a complaint has been received regarding the customer's meter, the company will not change the meter set assembly in any manner unless authorized by the commission. If the company violates this provision, the commission may consider it as supporting the customer's dispute since the change might affect the proof of the dispute. The commission may require the company to perform an additional test and report the test results within ten business days to the commission.

(5) If a meter test reveals a meter error not in accordance with WAC 480-90/100-146/141, Initial accuracy of meters (gas)/Accuracy of watthour meters (electric), the company must repair or replace the meter at no cost to the customer. The company will adjust the bills to the customer based on the best information available to determine the appropriate charges.

(a) Refunds will be provided to the date the customer was first billed for a defective meter but not more than six months.

(b) In cases where the customer will be billed for additional meter usage, the company will bill to the date the customer was first billed for a defective meter but not more than six months. The company will make payment arrangements to allow the customer additional time to pay the bill.

(6) Reports - the commission may require the company to provide meter test results in response to customers' complaints. These reports will contain the name and address of the customer, the meter manufacturer's name, the

manufacturer's and company's meter number, the size or capacity of the meter, the date the meter was tested, the reading of the meter when tested, the accuracy of the meter as found, and accuracy of meter after adjustment.

WAC 480-90/100-166/176 Statement of meter test procedures.

(1) The gas/electric company must submit to the commission a statement in its tariff describing its practice under these rules covering:

(a) The description of test methods used and frequency of tests for determining the meter accuracy. The description must include, but is not limited to:

- (i) Test group detail and selection procedures.
- (ii) Performance standard details for meters that exceed the maximum allowable tolerance for slow as well as fast meters.
- (iii) The corrective action and time period that will be implemented.
- (iv) Reference to an industry standard such as ANSI C12.1 or ANSI/ASQC-Z1.9 that will establish acceptable criteria for numerical analysis.

(b) The description of meter testing equipment and accuracy determination methods.

(c) The name of the testing laboratory making meter tests if gas companies do not maintain meter testing equipment.

(d) The testing and adjustment program of meters prior to installation and periodic tests after installation.

(2) If a gas/electric company changes any portion of the meter test procedure after submission to the commission, a revised tariff must be submitted.

WAC 480-90-081 Service connections. (Gas)

(1) For the purpose of connecting its distribution system to a customer's premises, a gas company must furnish, install and maintain such pipe and fittings as may be required with the following exceptions:

(2) The customer may be required to pay for or install at his own expense, in compliance with the company's standards, the service or any portion thereof in accordance with the company's filed tariff. The service piping up to the point of delivery will become the property of the company, provided that and only when, the facilities have been installed to the utility's standards, who will accept all responsibility for future maintenance and operation in accordance with its filed tariffs.

[Comment: pre-existing facilities may need more language than included here.]

(3) As used in this rule the "point of delivery" typically will be at the meter. However, at the company and customers option, the point of delivery can be established at a different point.

WAC 480-100-x10 Net metering. (Electric)

(1) Customer-generator is the user of a net metering system.

(2) Technical requirements. The net metering system used by a customer-generator must include, at the customer's own expense, all equipment necessary to meet applicable safety, power quality, and interconnection requirements established by the National Electrical Code, National Electrical Safety Code, the Institute of Electrical and Electronics Engineers, and Underwriters Laboratories.

(3) Liability requirements. Customer-generators will maintain liability insurance up to a maximum of \$200,000.

(4) Customer-generators and electric companies must enter into a written net metering agreement prior to interconnection of the company and customer-generator facilities.

WAC 480-90/100-131/121 Meter Charges. (3options)

1st Option:

_____ (1) The gas/electric company will not charge for furnishing and installing any meter, except if a customer desires for his convenience the installation of more than one meter at a premise. The gas company will install any additional meters upon payment by the customer of installation costs and reasonable rental thereof.

(2) No meter will be required on flat rate services.

2nd Option:

_____ (1) The gas company will not charge for furnishing and installing any meter, except if a customer desires for his convenience the installation of more than one meter at a premise. The gas company will install any additional meters upon payment by the customer of installation costs. The direct cost of any additional meters will be recovered in any of the following manners:

(a) Rental rates as established by gas company tariff,

(b) As an additional service receiving a gas company tariffed monthly basic charge, or

- (c) In general rates if incremental margins (additional expected revenues less gas costs from additional meter) substantiate the additional investment from the gas company.
- (2) No meter shall be required on flat rate services.

3rd option (Avista):

_____ (1) A gas/electric company will make no charge for furnishing and installing the meter or meters required to determine the billing to be made for electric service in accordance with its filed tariff. The utility may charge for additional metering requested by the customer for service beyond determining the billing to be made for electric service.

WAC 480-90-146 Initial accuracy of meters. (Gas)

(1) Each meter must be in good mechanical shape and adjusted to read as accurate as practical before placed in service. Meters are required to be free of leaks and deliver gas without fluctuation due to mechanical operation of the meter.

(2) The gas company must seal all meters in service or use a sealing method acceptable to the commission.

WAC 480-90-151 Metering tolerance (Gas)

(1) A meter must not deviate more than two percent fast or slow at each test rate.

WAC 480-90-176 Meter history records. (Gas)

(1) The Gas Company must establish records showing the history of each meter purchased and installed. Each record must be maintained for the life of the meter plus three months. The records are subject to approval of the Commission and must contain the following information at a minimum:

- (a) Date of purchase
- (b) Manufacturer's name and meter number
- (c) Type, model or series of meter
- (d) Gas Company's identification number
- (e) Current meter location

(2) The gas company must maintain the meter history from the meter's last shop maintenance and "out proof test" through to service, removal and "in proof test" plus six months. The records are subject to approval of the commission and must contain the following information at a minimum:

- (a) Date and nature of repairs
- (b) Date and results of the "out proof test"
- (c) Date and results of the "in proof test"
- (d) Date, location and index reading when placed in service
- (e) Date, location and index reading when removed from service
- (f) Date, complainant's name and address, and results of any complaint test(s) made while the meter was in service

(3) Overhauled Meters that meet new meter standards may be retired and re-enter the system as new meters.

WAC 480-100-181 Meter history records. (Electric)

(1) Electric companies must establish records showing the history of each meter purchased and installed. Such records must be maintained for the life of the meter plus three months. Such records are subject to approval of the commission and must contain the following information at a minimum:

- (a) the approximate date of purchase,
- (b) the manufacturer's name and meter number,
- (c) the utility's unique meter identification number,
- (d) the place(s) of installation, and
- (e) the readings at the time of each installation and each removal.

(2) The records must also include the date of all tests made on the meter, together with data recorded and computations made in order to determine its accuracy. If a test is a complaint test, the records must also include the complainant's name and the meter's calculated accuracy before and after the test.

Safety And Standards Rules:

WAC 480-90-101 Heating value of gas. (Gas)

(1) A gas company must state in the tariff the minimum heating value of gas furnished to the customers. The minimum heating value of the gas must be sufficient to operate an appliance uniformly.

Test Equipment

_____ (2) If a gas company provides and maintains its own gas calorimeter, the calorimeter and accessories must be installed in a **suitable (safe?)** area. The

calorimeter and its location and accuracy must be approved by the Commission.

(3) If a gas company does not maintain its own gas calorimeter, the utility's supplier must provide the calorimetric results upon approval of the Commission.

(4) A gas company may use a caloroptic indicator to determine the heat value when a mixture of petroleum and air are used.

Test Requirements

(5) Each gas company must take a least one daily heat value test of the gas supplied to its customers.

(6) The total heating value must be stated in British thermal units per cubic foot.

(7) The average daily heat values must be determined by taking the average of all daily heat values measured throughout the day. The average monthly heating value must be the average of all daily average values for the calendar month.

(8) The gas company may apply the average heating value for a given month to the following month provided the procedure is written in the gas company's tariff.

Records

(9) Each gas company must keep complete records of each quality test. These records must be accessible to the commission and its' authorized representatives.

(10) The gas company must adopt standard forms that record the heating value, gas analysis, and specific gravity results. The forms are subject to the approval of the Commission. Each form must be retained as a record at the station where the tests were made for at least two years.

WAC 480-100-151 Instrument transformers accuracy. (Electric)

(1) Instrument transformers used in conjunction with metering equipment to measure customers' service must:

(a) be in proper mechanical condition and have electrical insulation satisfactory for the service on which they are used.

(b) have characteristics such that the combined inaccuracies of all transformers supplying one or more meters in a given installation will not exceed the following:

100 % Power Factor

10% Current

1.5% error

100% Current

0.75% error

50% Power Factor

10% Current

3.0% error

100% Current

2.0% error

(2) Meters used in conjunction with instrument transformers must be adjusted so that the over-all accuracies will meet the requirements previously specified.

(a) Instrument transformers may be tested with the meter with which they are associated, or separately. Except as provided in these rules, if the transformers are tested separately, the meters must also be tested to assure that the over-all installation meets the prescribed accuracy requirements.

(b) Instrument transformer test results must be kept on record and available for use when transformers are installed.

(3) Phase shifting transformers must have secondary voltages that are within plus or minus 1.0 percent of the impressed primary voltage, when tested under balanced line voltage conditions.

WAC 480-100-161/201 Portable indicating instruments and reference standards. (Electric)

(1) Electric companies must ~~check~~ maintain all portable indicating electrical instruments such as volt-meters, ammeters, and watt-meters and all fixed-location meter testing equipment in reasonable working order and, if in question, in use against suitable reference standards ~~at least once every 6 months~~.

[Comment: this rule dates back to old technology which had lower reliability. Today's equipment does not require 6 month checks.] If suitable reference standards are not available within the company, the company must check its portable instruments at a standardizing laboratory meeting specifications recommended by the meter manufacturer. The electric company must annually certify as accurate the reference standards the company maintains and may not use them in the field as working instruments.

(2) Electric companies must adjust portable indicating instrument that are found appreciably in error at zero. If a portable indicating instrument is in error by more than 1 percent at commonly used scale deflections, the electric company must adjust it, unless instrument is accompanied by a calibration card.

(3) Electric companies must keep history and calibration records for each portable and fixed-location instrument and any reference standard as long as they are in service.

[Comment: Discussion at the workshops regarding -186 and -191 centered on future workshops to further explore these items.]

WAC 480-100-186 Standard frequency. (Electric)

(1) Each electric company supplying alternating current must design and maintain its distribution system for a standard operating frequency of sixty (60) cycles per second under normal operating conditions. Each utility must maintain this frequency within tolerance limits as established by the Western Systems Coordinating Council.

WAC 480-100-191 Standard voltage and permissible variation. (Electric)

(1) Voltage, as used herein, means the voltage existing with loads operating under stable conditions. Each electric company must adopt standard voltages for its different classes of standard voltage service and file these standards with the commission in the form of tariffs.

(2) Electric companies are required to maintain the voltage on their distribution system reasonably constant and any allowed variation must be a gradual change in voltage as a result of normal changes in load.

The voltage on each primary distribution feeder must be maintained as follows:

(a) voltage variations may not be more than five (5) percent above or below the standard voltage adopted, and the total voltage variation from minimum to maximum value may not exceed eight (8) percent of the standard voltage.

A greater voltage variation than herein specified may be allowed in case of emergency service or when service is supplied directly from a transmission line. Greater voltage variations may also be permitted in an area where the revenues received do not justify close voltage regulation. In such cases, electric companies are required to provide the best voltage regulation that is economically and technically practicable under the circumstances.

(3) Voltage variations in excess of those specified, caused by the action of the elements, by infrequent and unavoidable fluctuations of short duration due to system operation, or by the operation of power apparatus on the customer's premises which necessarily requires large starting currents and only affects the user of such apparatus, will not be considered a violation of this rule.

(4) Equipment on customers' premises must be controlled and operated such that its starting and operating characteristics will not cause an instantaneous voltage drop of more than four percent of the standard voltage as measured at the point of interconnection with the electric company. Customer's equipment must likewise be controlled and operated such that it does not cause damage or