

UE-990473

Graciela Etchart
07/26/99

02:41:06 PM

Re: Public Counsel Question RE: Prior Obligation--WAC 480-90/100-121/116 CORRECTION OF DRAFTED RUL

Graciela Etchart on 07/26/99 02:41:52 PM



To: Graciela Etchart/WUTC@WUTC
cc:
Subject: Re: Public Counsel Question RE: Prior Obligation--WAC 480-90/100-121/116 CORRECTION OF DRAFTED RULE

----- Forwarded by Graciela Etchart/WUTC on 07/26/99 02:40 PM -----

Graciela Etchart on 07/26/99 02:41:09 PM



To: efinklea@energyadvocates.com, LLogen@puget.com, BGROFF@CNGC.COM, ldd@gascq.com, elizabethk@ep.cted.wa.gov, skresh@puget.com, lstran@puget.com, robin.cross@pacificorp.com, gene.cardon@pacificorp.com, rwebb@avistacorp.com, evans@atg.wa.gov, matts1@atg.wa.gov, anmkarp@pacificrim.net, royal.drager@pacificorp.com, rros1@aol.com, stuckart@snapwa.org, velliott@wutc.wa.gov, psmith@wutc.wa.gov, tthursto@wutc.wa.gov, phansen@wutc.wa.gov, bfolsom@avistacorp.com, ppopof@puget.com, Carole.rockney@pacificorp.com, ska@nwnatural.com, kbarnard@cngc.com, ork@nwnatural.com
cc: Rulemaking Team-Electric, Rulemaking Team-Gas
Subject: Re: Public Counsel Question RE: Prior Obligation--WAC 480-90/100-121/116 CORRECTION OF DRAFTED RULE

On 7/23, we received a request for clarification from Public Counsel referring the rules included in the Subject of this message. I am including part of the message:

"Current WAC 480-90-121 and WAC 480-100-116 state that "A utility MAY NOT permanently deny service to an applicant because of a prior obligation to the utility."

On Page 4 of the draft, under the Responsibility for Delinquent Accounts section (WAC 480-90/100-121/116), the word "not" has been deleted:

"*(9) The electric/gas company MAY permanently deny service to an applicant or customer because of a prior obligation to the company."

The asterisked comment below proposed section (9) indicates that staff would be open to considering changes if concerned stakeholders supply persuasive evidence showing that the current prior obligation rule is especially burdensome or otherwise onerous to regulated utilities. I read this as saying there will not be a change in the rule until evidence warrants a change. I'm having a hard time reconciling that statement with the draft's deletion of "not," which effectively removes the prior obligation protection.

Was the "not" inadvertently left out of the draft? Or is it the intent of staff to delete the "not" and move toward the premise that prior obligation protections should be removed?

Staff answer was that "the rule should read "may not", we have asked the companies for evidence that the prior obligation rule should be changed."

I apologize for our mistake and for the inconvenience that it may have caused to all of you.

RMD