



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (June 2004)
(Implements RCW 34.05.310)
Do **NOT** use for expedited rule making

Agency: Washington Utilities and Transportation Commission

Subject of possible rule making: The Washington Utilities and Transportation Commission (Commission) initiates this rulemaking to consider amending or eliminating requirements in existing rules in WAC 480-120, Telephone Companies, WAC 480-121, Registration and Competitive Classification of Telecommunications Companies, WAC 480-122, Washington Telephone Assistance Program, WAC 480-123, Universal Service, WAC 480-140, Commission General – Budgets, and WAC 480-143, Commission General – Transfers of Property. This inquiry supplements the original CR-101 filed at WSR 14-10-081 to also consider establishing damage reporting requirements in accordance with the 2011 amended underground utilities law, Chapter 19.12.02 RCW. The rulemaking has been assigned Docket UT-140680.

Statutes authorizing the agency to adopt rules on this subject:
RCW 19.122.053, RCW 19.122, RCW 80.01.040, and RCW 81.04.160

Reasons why rules on this subject may be needed and what they might accomplish:
Regulatory changes at both the federal and state commissions along with technological changes in the telecommunications industry have necessitated some changes to the existing WAC rules to make these rules competitively neutral among the incumbent local exchange carriers and competitive exchange carriers regulated by the Commission. Change is also needed to incorporate a 2011 legislative amendment to the underground utilities law, Chapter 19.122 RCW,¹ requiring facility operators to report damage events the Commission within 45 days, with specific descriptive data about the event. This change took effect on January 1, 2013.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:
None

Process for developing new rule (check all that apply):

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe)

The Commission will ask for initial written comments, schedule one or more workshops, and will provide an opportunity to provide additional written comments on draft rules and proposed CR-102 prior to adoption.

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:
(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.)

Interested persons may file comments with the Executive Director and Secretary, Washington Utilities and Transportation Commission, PO Box 47250, 1300 S. Evergreen Park Drive, Olympia, Washington, 98504-7250; Telephone (360) 664-1174; Fax (360) 586-1150, email at records@utc.wa.gov, or through the Commission's Web portal at www.utc.wa.gov/e-filing by **5:00 p.m., August 14, 2014.**

For specific information regarding opportunities for written comments and to ensure receipt of further information concerning this rulemaking, please see the attachment to this form.

DATE
July 11, 2014

NAME (TYPE OR PRINT)
Steven V. King

SIGNATURE

TITLE
Executive Director and Secretary

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: July 11, 2014
TIME: 9:05 AM

WSR 14-15-046

¹ The bill, the Underground Utility Damage Prevention Act (E2SHB-1634), was passed unanimously by the Legislature, and signed by the Governor on May 5, 2011.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
CR-101 - ATTACHMENT
DOCKET UT-140680

Interested persons may contact the Executive Director and Secretary, Washington Utilities and Transportation Commission, P. O. Box 47250, Olympia, Washington, 98504-7250, 360-664-1174 (Fax: 360-586-1150).

WRITTEN COMMENTS AND STAKEHOLDER WORKSHOP

The Commission has scheduled a stakeholder workshop in this rulemaking for **Monday, July 28, 2014, beginning at 1:30 p.m.** in the Commission's Hearing Room, Richard Hemstad Building, 1300 S. Evergreen Park Drive SW, Olympia, Washington. Written comments on the supplemental CR-101 may be submitted to the Commission at the address given above and should be filed with the Commission no later than **5:00 p.m. on Thursday, August 14, 2014.**

Electronic copies. The Commission requests that comments be provided in electronic format to enhance public access, for ease of providing comments, to reduce the need for paper copies, and to facilitate quotations from the comments. Comments may be submitted via the Commission's Web portal at www.utc.wa.gov/e-filing or by electronic mail to the Commission's Records Center at records@utc.wa.gov. Please include:

- The docket number of this proceeding (UT-140680)
- The commenting party's name
- The title and date of the comment or comments

An alternative method for submitting comments may be by mailing/delivering an electronic copy on a flash drive, compact disk, or 3 ½ inch, IBM-formatted, high-density disk, in .pdf Adobe Acrobat format or in Word 97 or later. Include all of the information requested above. The Commission will post on the Commission's web site all comments that are provided in electronic format. The web site is located at <http://www.utc.wa.gov/140680>. If you are unable to file your comments electronically or to submit them on a disk, the Commission will always accept a paper document.

Opportunity for further comment is anticipated. Information about the schedule and other aspects of the rulemaking, including comments, will be posted on the Commission's web site as it becomes available. If you wish to receive further information on this rulemaking you may (1) call the Commission's Records Center at 360-664-1234, (2) e-mail the Commission at [<records@utc.wa.gov>](mailto:records@utc.wa.gov), or (3) mail written comments to the address above to the attention of Steven V. King, Executive Director and Secretary. When contacting the Commission, please refer to Docket UT-140680 to ensure that you are placed on the appropriate service list. Questions may be addressed to Bill Weinman, Assistant Director - Telecommunications, by telephone at (360) 664-1109, or e-mail at wweinman@utc.wa.gov.

NOTICE

TO CONTINUE RECEIVING NOTICES AND INFORMATION ABOUT THIS RULEMAKING -- The Commission wants to ensure its mailings are sent to persons who are interested in the topic and want to receive that information. **ANY PERSON WHO COMMENTS** will continue to receive notices and information. If you do not submit comments but wish to remain on the mailing list for this rulemaking, please advise the Records Center by any one of the following methods: (1) send a note with your name, address (or a copy of your mailing label), and telephone and fax numbers referencing Docket UT-140680, and the words "Please keep me on the mailing list"; or (2) E-mail your name, address, telephone and fax numbers, referencing Docket UT-140680, and the words "Please keep me on the mailing list" to <records@utc.wa.gov>. Please note that all information in the mailings will be accessible through the Commission's Internet web site at <<http://www.utc.wa.gov/140680>>. **THOSE INTERESTED PERSONS WHO DO NOT RESPOND MAY NOT RECEIVE FURTHER MAILINGS OR INFORMATION ON THE RULEMAKING.**