

Attachment E

**Proposed Rulemaking
Docket U-991301**

Concerning rules in:

**Chapter 480-80 WAC Commission General – Tariffs, Price Lists, and Contracts;
Chapter 480-90 WAC Natural Gas Utilities;
Chapter 480-100 WAC Electric Utilities;
Chapter 480-120 WAC Telecommunications Companies; and
Chapter 480-121 WAC Registration, Competitive Classification and Price Lists of Telecommunications companies.**

December 5, 2001

Action	WAC No.	Rule Title	Proposed Changes
Chapter 480-80 Utilities General – Tariffs, Price Lists and Contracts			
Amend	480-80-010	Application of rules.	<ol style="list-style-type: none"> 1. Revisions reflect common language adopted in other rulemakings. 2. Subsection (5) clarifies that any tariff, price list, or contract on file and in effect or pending when rules are adopted is not required to be refiled to comply with newly adopted rules in chapter 480-80 WAC. Rather, the expectation is that companies will make needed changes when filings are made in the normal course of business.
New Section	480-80-015	Exemptions from rules in chapter 480-80 WAC.	<ol style="list-style-type: none"> 1. Language sets out the process used to request an exception from a rule and is consistent with language adopted in other rulemakings. 2. Subsection (6) clarifies that competitive companies previously granted exemptions to certain sections of chapter 480-80 WAC continue to have those exemptions. 3. Part moved from 480-80-310.
Amend	480-80-020	Additional requirements.	<ol style="list-style-type: none"> 1. Revision reflects common language adopted in other rulemakings.
New Section	480-80-025	Severability.	<ol style="list-style-type: none"> 1. New language reflects common language adopted in other rulemakings.
Amend	480-80-030	Definitions.	<ol style="list-style-type: none"> 1. Adds definitions of words used throughout the chapter.
New Section	480-80-031	Delivery of tariff, price list, and contract filings.	<ol style="list-style-type: none"> 1. Adds the option of an electronic delivery method when the Commission has procedures in place. 2. Clarifies that a fax filing must be received in its entirety by 5:00 p.m. Pacific time in order to be deemed received on that day. 3. Similar requirements previously found in WAC's 480-80-060 and -070.
New Section	480-80-101	Tariff requirements.	<ol style="list-style-type: none"> 1. Subsection (1) moved from 480-80-040 2. Subsection (2) moved from 480-80-150
New Section	480-80-102	Tariff content.	<ol style="list-style-type: none"> 1. Subsection (1) moved from 480-80-160 and -200.

			<ol style="list-style-type: none"> 2. Subsection (2) moved from 480-80-160 and –210. 3. Subsection (3) is a new requirement to include a section of symbols in the filing and allows a company to use its own unique symbols in addition to the Commission symbols. 4. Subsection (4) moved from 480-80-220 and clarifying language and cross references to related requirements in other chapters are added. 5. Subsection (5) moved from 480-80-230. 6. Removes requirements for telegraph rate schedules and base rate area maps.
New Section	480-80-103	Tariff format.	<ol style="list-style-type: none"> 1. Subsection (1) (a) moved from 480-80-140 2. Subsection (1) (b) adds a requirement to retain a 2” x 1 ½ “ blank space in the upper right hand corner of the tariff sheet for Commission use. 3. Subsection (1)(c) adds an option of allowing utilities to file electronically when the Commission establishes a process. 4. Subsection (2) moved from 480-80-160. 5. Subsection (3) moved from 480-80-180, and -220(2). 6. subsection (3)(e) allows a utility to reuse a tariff number under certain circumstances. 7. Subsection (4) allows the company two ways to submit authorizing signatures and eliminates the requirement for the company to keep signature cards on file with the Commission. 8. Issue dates are no longer required.
New Section	480-80-104	Transmittal letter.	<ol style="list-style-type: none"> 1. Reference to transmittal letter moved from 480-80-050 and codifies current Commission practices based on instructions sent to utilities previously.
New Section	480-80-105	Tariff filing instructions.	<ol style="list-style-type: none"> 1. Subsection (1) moved from 480-80-160(2) and –050. 2. Subsection (2) adds a cross reference to a related chapter. 3. Subsection (3) defines expectations in a tariff filing. 4. Subsection (4) moved from 480-80-370. 5. Subsection (5) provides the utility with an option of using unique symbols in addition to Commission symbols. 6. Subsection (6) moved from 480-80-050. 7. Subsection (7) and (8) moved from 480-80-270.
New Section	480-80-111	Substitute tariff filings	<ol style="list-style-type: none"> 1. Defines process for submitting substitute pages consistent with Commission practices.
New Section	480-80-112	Banded rate tariff filings.	<ol style="list-style-type: none"> 1. Subsection (1) moved from 480-80-045. 2. Subsection (2) adds the criteria from filing gas and electric banded rates.
New Section	480-80-121	Tariff changes with statutory notice.	<ol style="list-style-type: none"> 1. Moved from 480-80-070.
New Section	480-80-122	Tariff changes with less than statutory notice.	<ol style="list-style-type: none"> 1. Moved from 480-80-240. 2. Provides an option to use a Commission LSN form.
New Section	480-80-123	Tariff changes that do not require statutory notice.	<ol style="list-style-type: none"> 1. Moved from 480-80-240.
New Section	480-80-124	Failure to provide statutory notice.	<ol style="list-style-type: none"> 1. Moved from 480-80-070.

New Section	480-80-131	Withdrawing a tariff filing.	1. New section added to codify current Commission practices.
New Section	480-80-132	Rejecting tariff changes.	1. Moved from 480-80-300.
New Section	480-80-133	Tariff adoption notice.	1. Moved from 480-80-250 and -260. 2. Removes the second company adoption restriction.
New Section	480-80-134	Discontinuing a tarified service or services.	1. Moved from 480-80-320
New Section	480-80-141	Service contract.	1. Moved from 480-80-325, -326 and -340.
New Section	480-80-142	Special contracts for noncompetitive telecommunications companies.	1. Moved from 480-80-330.
New Section	480-80-143	Special contracts for gas, electric, and water companies.	1. Moved from 480-80-335.
New Section	480-80-201	Use of price lists.	1. New language describes who may use price lists.
New Section	480-80-202	Interpretation and application of price lists.	1. Subsection (1) describes how the Commission interprets price lists. 2. Subsection (2) describes how the Commission will interpret conflicts or ambiguities in a price list.
New Section	480-80-203	Transmittal letter	1. Moved from 480-80-041 2. Clarifies requirements for a price list transmittal letter.
New Section	408-80-204	Price lists format and content.	1. New language identifies criteria for a price list and clarifies that the rates charged to customers must cover the cost of providing the service.
New Section	480-80-205	Effective date of price list filings.	1. The price list effective date statutory requirements are codified.
New Section	480-80-206	Price list availability to customers.	1. Moved from 480-80-206 2. In addition to making a price list available to customers through a public location or upon request, a new requirement is added requiring companies to post price lists on a website and notify customers of the Internet address.
New Section	480-80-241	Filing contracts for services classified as competitive.	1. Moved from 480-80-035.
New Section	480-80-242	Using contracts for services classified as competitive.	1. Moved from 480-80-035.
Chapter 480-90 Gas Companies – Operations			
Amend	480-90-193	Posting of tariffs for public inspection and review.	1. Parts moved from 480-80-080 and -090. 2. Provides new options for making a tariff available to the public and defines physical access.
New Section	480-90-194	Publication of proposed tariff changes to increase charges or restrict access to services.	1. Provides the options a utility may use to notify the public of proposed rate changes or restricted service in its tariff. The company must use at least one of the methods. 2. Provides requirements for what must be included in the public notice.
New Section	480-90-195	Notice of tariff changes other than increases in recurring charges and restrictions in access to services.	1. Provides requirements for how to notice customers of minor tariff rate changes and what must be included in the notice.

New Section	480-90-197	Adjudicative proceedings where public testimony will be taken.	1. Provides the requirements for public notice and content of the notice for adjudicative proceedings where public testimony will be taken.
New Section	480-90-198	Notice verification and assistance.	1. Requires the utility to file a statement with the Commission describing how it met the requirements for posting and publication.
New Section	480-90-199	Other customer notice.	1. Requires utility to provide additional notice when the Commission determines additional customer education is needed.
Chapter 480-100 Electric Utilities			
Amend	480-100-193	Posting of tariffs for public inspection and review.	1. Parts moved from 480-80-080 and -090. 2. Provides new options for making a tariff available to the public and defines physical access.
New Section	480-100-194	Publication of proposed tariff changes to increase charges or restrict access to services.	1. Provides the options a utility may use to notify the public of proposed rate changes or restricted service in its tariff. The company must use at least one of the methods. 2. Provides requirements for what must be included in the public notice.
New Section	480-100-195	Notice of tariff changes other than increases in recurring charges and restrictions in access to services.	1. Provides requirements for how to notice customers of minor tariff rate changes and what must be included in the notice.
New Section	480-100-197	Adjudicative proceedings where public testimony will be taken.	1. Provides the requirements for public notice and content of the notice for adjudicative proceedings where public testimony will be taken.
New Section	480-100-198	Notice verification and assistance.	1. Requires the utility to file a statement with the Commission describing how it met the requirements for posting and publication.
New Section	480-100-199	Other customer notice.	1. Requires utility to provide additional notice when the Commission determines additional customer education is needed.
Chapter 480-120 Telephone Companies			
New Section	480-120-193	Posting of tariffs for public inspection and review.	1. Parts moved from 480-80-080 and -090. 2. Provides new options for making a tariff available to the public and defines physical access.
New Section	480-120-194	Publication of proposed tariff changes to increase charges or restrict access to services.	1. Provides the options a utility may use to notify the public of proposed rate changes or restricted service in its tariff. The company must use at least one of the methods. 2. Provides requirements for what must be included in the public notice.
New Section	480-120-195	Notice of tariff changes other than increases in recurring charges and restrictions in access to services.	1. Provides requirements for how to notice customers of minor tariff rate changes and what must be included in the notice.
New Section	480-120-196	Customer notice requirements-- Competitively classified telecommunications companies or services.	1. Provides requirements for customer notice before rates or terms are changed.

New Section	480-120-197	Adjudicative proceedings where public testimony will be taken.	1. Provides the requirements for public notice and content of the notice for adjudicative proceedings where public testimony will be taken.
New Section	480-120-198	Notice verification and assistance.	1. Requires the utility to file a statement with the Commission describing how it met the requirements for posting and publication.
New Section	480-120-199	Other customer notice.	1. Requires utility to provide additional notice when the Commission determines additional customer education is needed.
Chapter 480-121 Registration, competitive classification and price lists of telecommunications companies.			
New Section	480-121-065	Customer notice requirements--Petition for competitive classification of a service.	1. Provides requirements for public notice for companies seeking competitive classification.
Chapter 480-80 rules proposed for repeal			
Repeal	480-80-035	Price lists	1. Moved to 40-80-203, -241, and -242.
Repeal	480-80-040	Tariff.	1. Moved to 480-80-101.
Repeal	480-80-041	Tariff.	1. Moved to 480-80-203
Repeal	480-80-045	Filing of banded tariffs.	1. Moved to 480-80-112.
Repeal	480-80-050	Copies of tariff to be filed.	1. Moved to 480-80-104 and -105.
Repeal	480-80-060	Delivery of tariff.	1. Moved to 480-80-031.
Repeal	480-80-070	Statutory Notice	1. Delivery requirements moved to 480-80-031. 2. Notice requirements moved to 480-80-121. 3. Failure to provide statutory notice moved to 480-80-124.
Repeal	480-80-080	Tariff file at principal business office.	1. Moved to 480-80-206 and 480-90-193, 480-100-193 and 480-120-193.
Repeal	480-80-090	Tariff file at designated business offices.	1. Moved to 480-90-193, 480-100-193 and 480-120-193.
Repeal	480-80-100	Payment agencies.	1. Repeal. Industry chapters of rules now provide company with the option of determining how to best maintain copies of its tariff available to the public.
Repeal	480-80-110	Reference to tariff file.	1. Repeal removes requirement to check tariff on file, in business office where kept, at least once every six months.
Repeal	480-80-125	Notice by utility to customers concerning hearing.	1. Moved to 480-90-197 and 480-100-197 and 480-120-197
Repeal	480-80-130	Notation of receipt of tariff by agents.	1. Repeal eliminates a record keeping requirement.
Repeal	480-80-140	Form of tariff sheets.	1. Moved to 480-80-140
Repeal	480-80-150	Numbering of tariffs.	1. Moved to 480-80-101(1).
Repeal	480-80-160	General arrangement of tariff.	1. Repeal removes the requirement for an issue date. 2. Other requirements moved to 480-80-102, -103 and -105.
Repeal	480-80-170	Schedule designation.	1. Repeal, language unnecessary.
Repeal	480-80-180	Tariff sheet designations	1. Moved to 480-80-103(3).
Repeal	480-80-190	Numbering plan for sheets.	1. Moved to 480-80-103(3).
Repeal	480-80-200	Title page.	1. Moved to 480-80-102(1).

Repeal	480-80-210	Index page.	1. Moved to 480-80-102(2).
Repeal	480-80-220	Rules and regulations page.	1. Moved to 480-80-102(4).
Repeal	480-80-230	Rate schedule page.	1. Moved to 480-80-102(5). 2. Repeals requirements for base rate area maps and telegraph rate schedules.
Repeal	480-80-240	Less than statutory notice.	1. Moved to 480-80-122 and 123.
Repeal	480-80-250	Adoption notice.	1. Moved to 480-80-133.
Repeal	480-80-260	Tariff of acquired utility.	1. Moved to 480-80-133.
Repeal	480-80-270	Reference to tariff.	1. Moved to 480-80-105.
Repeal	480-80-280	Issuing agent.	1. Repeal removes recording keeping requirement.
Repeal	480-80-290	Suspension of tariffs.	1. Statute provides authority to suspend tariffs.
Repeal	480-80-300	Rejection of tariffs.	1. Moved to 480-80-132.
Repeal	480-80-310	Exceptions.	1. Moved to 480-80-015.
Repeal	480-80-320	Discontinuance of service.	1. Moved to 480-80-134.
Repeal	480-80-325	Contract for service.	1. 1 st paragraph moved to 480-80-141. 2. 2 nd paragraph repealed. Will be considered in another rulemaking concerning Chapter 480-80 WAC. 3. This rule was moved to this chapter of rules from 480-120-066 in Part A of Docket No. U-991301.
Repeal	480-80-326	Contract for gas and electric service.	1. Moved to 480-80-141 2. This rule was moved to this chapter of rules from 480-90-061 and 480-100-061 in Part A of Docket No. U-991301.
Repeal	480-80-330	Telecommunications contracts.	1. Moved to 480-80-142.
Repeal	480-80-335	Special contracts for electric, water, and natural gas companies.	1. Moved to 480-80-143.
Repeal	480-80-340	Forms.	1. Moved to 480-80-141.
Repeal	480-80-350	Refiling tariffs.	1. Moved to 480-80-105.
Repeal	480-80-360	Standard tariff forms.	1. Repeal no longer needed.
Repeal	480-80-370	Symbols.	Moved to 480-80-105.
Repeal	480-80-380	Availability of rules.	1. Repeal. Rules will be made available to the public by the Commission
Chapter 480-120 rules proposed for repeal			
Repeal	480-120-043	Notice to the public of tariff changes	Repeal. Included in rewritten public notice rules in Chapter 480-120.