

Graciela Etchart
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» RE: Draft Rules Comments

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Subject: RE: Draft Rules Comments

Good Morning, All,

Attached below, please find several files that contain PSE's feedback on Staff's Initial First Discussion Draft. All but one of the files are mark-ups of Staff's document. The document titled "OverallComments" is not a markup, but contains overall suggestions for Staff to consider. Please note that PSE's silence on individual provisions should not be interpreted as support.

PSE looks forward to continuing to work together to achieve Governor Locke's vision of meaningful regulatory reform, as expressed in Executive Order 97-02. If you have any questions or feedback on our documents, please contact me by email or telephone at 425-462-3229.

Thank You

Phillip Popoff
Sr. Resource Planning Analyst
Puget Sound Energy

<<OverallComments.doc>>

<<ConsumerRulesMarkup.doc>>

<<GeneralCommonMarkup.doc>>

<<AccountingMarkup.doc>>

<<Meter-SafetyMarkup.doc>>



- OverallComments.doc



- ConsumerRulesMarkup.doc



- AccountingMarkup.doc



- GeneralCommonMarkup.doc



- Meter-SafetyMarkup.doc

Dockets UG-990294 and UE-990473

PSE's Overall Feedback on Staff's Initial 1st Discussion Draft

Thank you for the opportunity to provide input on the Staff's initial "pre-draft" rules, both new rules and modified existing rules, under the WUTC's review of WAC 480-90 and WAC 480-100. PSE commends WUTC Staff's continuing efforts to maintain an open dialogue this early in the process. Below, we provide general comments regarding the "pre-draft" rules that we hope Staff will find helpful in developing a first draft set of rule changes for further review. Please note that PSE's silence on any individual provision throughout the various documents should not necessarily be interpreted as our acquiescence or support for that provision.

In the informal nature of this dialogue, the following are four topics we encourage Staff to consider in developing its initial draft recommendation.

- I. The Intent of Governor's Executive Order 97-02—Two items for Staff's consideration:
 - A. The Governor's Order "...to achieve meaningful regulatory reform,..." includes a comprehensive list of seven criteria to be used throughout this effort. We believe it is important for all parties to keep the Governor's seven criteria from the Executive Order in the front of our minds when reviewing existing rules, proposing new rules, or proposing revisions to existing rules. It is important to note that the standards in the Executive Order are more rigorous than simply finding a rule/revision generally or theoretically being in the public interest. The Governor's Executive Order explains that to attain meaningful regulatory reform, each rule must be necessary, effective/efficient, clear/be clarifying, based statutory authority, coordinated with other agencies if possible, be cost effective, and fair to those subject to the regulation.
 - B. At this point in the rule review process, we are not aware that Staff has systematically focused upon existing rules to identify ones that can be eliminated because they are, in practice, not needed or useful to protect the health, welfare, and safety of the Washington's citizens or otherwise fall short of the Governor's criteria. Staff appeared to have conducted such systematic review when it addressed WAC 480-146 and is currently pursuing this approach in reviewing WAC 480-140. Applying that process to this rulemaking may be needed to clearly demonstrate the Commission's compliance with Executive Order 97-02. Staff's pre-draft document includes many revisions in the consumer rules that appear focused on tightening regulatory restrictions on utilities without demonstration (or even discussion) of how those changes comply with the Governor's goal of meaningful regulatory reform. We appreciate Staff's efforts and focus in reviewing WAC 480-146 and 140, and encourage the same process be applied in its review of WAC 480-90 and WAC 480-100.

II. Revisions That Eliminate/Reduce Flexibility in Existing Rules

Several of the revised rules in the pre-draft document, especially in the consumer rules, result in eliminating/curtailing flexibility in utility operations. The purpose of this discussion is to help provide Commission Staff with a better understanding of how eliminating this flexibility impacts PSE, from our perspective, and what it ultimately means to our customers.

The flexibility provided in current rules is a very important issue that goes beyond simple changes in operating procedures. Flexibility afforded in the current rules establish the boundaries of utilities' rights to operate their businesses. This flexibility has always been

essential to allow utilities to implement practices that minimize the costs of energy service to customers. In the context of a changing environment, however, this flexibility is even more important. When the Commission reduces flexibility, it reduces utilities' ability to use changing technology, best practices, tailored solutions, and other evolving tools to meet our customers' changing wants and needs in the most cost effective manner. Further, inflexibility leaves no room for the application of judgment, a very important element for evolving work practices.

Certain revisions that reduce the current levels of operational flexibility have been characterized as in public interest by some members of Commission Staff. Some changes may appear, at first, to be in the public interest, but when their effects are fully considered, on balance, many are not. For instance, during the workshops, experiences and problems from other industries were often cited as the reason for considering changes in energy rules, especially in the context of consumer rules. It may not be reasonable to simply assume that many of the situations from other industries will arise in energy industries. Furthermore, establishment of the specific proposed rules may not be the best way to address these issues. Experiences in other industries provides Staff with a helpful insight into how operations in those industries have evolved in response to unique changes within those industries. This information may be helpful to share with the group. However, there are critical differences in market structures, technology, and evolutionary pressures in those other industries; therefore, the assumption that issues generated in those industries will occur in the energy industry may be insupportable without additional analysis.

We encourage Staff to pursue any changes to energy rules based on experiences with other industries through a clear mutual gains approach with all interested parties. We further encourage Staff to pursue such discussions before making a formal filing. Mutual Gains discussions would provide helpful information. First, the parties can work together to explore the changes in those other (very different) industries and determine if similar results should be expected in energy industries. Then, if those undesirable operational practices appear likely to occur in the energy sector, we can explore ways to avoid the problems in ways that comply with the Governor's Executive Order and minimize unintended consequences.

III. Rules/Revisions That Codify Current Work Practices

Several proposed rules seek to codify certain existing utility practices in rules, keeping them from changing in the future. Such an approach may conflict with the Governor's Executive Order. Furthermore, the act of Staff proposing these kinds of rules may create unintended/unexpected consequences. As illustration, We offer the following two points for Staff's consideration.

First, curtailing the evolutionary process of business operations is generally not in the public interest. Such actions limit utilities' ability to respond to customers' changing wants and needs in more efficient ways as technology changes. This leads to higher costs and lower levels of customer service. These are the costs of eliminating/curtailing flexibility by holding operations constant. Before proposing such rules, we suggest Staff carefully consider the benefits expected from limiting flexibility, as required under the Executive Order.

Second, it is important the WUTC Staff avoid trying to codify existing working relationships with utilities and customers. For example, Staff's proposed rule that mandates filing draft customer notices with Public Affairs. This is one of many possible work practices PSE often chooses to pursue, as we frequently find Staff's feedback helpful. These practices have been

successful because they have been exercised on a flexible basis as necessary and useful. However, if such cooperative work practices become mandated, it may create a work environment where utilities may naturally be driven to avoid cooperative efforts in the future and focus only upon meeting minimum requirements. The lesson utilities will learn is that cooperation and going the extra mile will result in new rules. This idea extends beyond just working relations with the Commission, it is also applicable to many consumer rules. A simple analogy may be helpful. If you raise the bar every time we jump over it, setting the new height at our highest jump ever, you naturally condition utilities to avoid trying to improve with each leap. This is probably not what the Governor had in mind for meaningful regulatory reform.

IV. Rules That Require Filing Information

Several initial first draft rules include requirements to file information that is not currently required. While some of these rules may at first seem to impose little (if any) costs upon utilities and customers or otherwise appear generally reasonable to Staff, we encourage the Staff to remain focused on the criteria included in the Governor's Executive Order, especially "need". PSE suggests it may be awkward for Staff to propose reporting requirements that may not be necessary and practically useful to protect the health, welfare, and safety of Washington's citizens, as such requirements may clearly be counter to the Governor's goal of meaningful regulatory reform. Additionally, requirements that individually do not appear to impose many direct costs on utilities, can in aggregate, impose direct and indirect administrative costs that may be greater than the benefits derived. Such rules violate the Governor's Executive Order.

Concluding General Remarks

In closing, PSE commends Staff for its continuing efforts to foster open dialogue. We suggest Staff clearly demonstrate how it is systematically reviewing WAC rules 480-90 and 100 to accomplish the meaningful regulatory reform and furthermore, that Staff should avoid straying from the criteria in the Executive Order when formulating recommendations to the Commission. Discussion of how each proposed change advances the Governor's criteria will be essential as Staff develops its first draft recommendations. We are grateful for the opportunity to provide feedback this early in the Staff's formulation stage and hope these comments are helpful. We look forward to working with Commission Staff and all other parties to successfully implement Governor Locke's requirement to pursue meaningful regulatory reforms. If you have any questions or feedback, please call Phillip Popoff at (425) 814-6368.

PSE Feedback on Consumer Rules Section

Below is feedback from PSE on several of the rules in this section. As with all sections, please do not interpret PSE's silence on any individual item in this section as acquiescence.

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.

(We can only provide average billing information. Exact usage for each billing period is proprietary information and can only be given to the customer of record.)

(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.~~

(This provision may be far more comprehensive than Staff realizes, so understanding Staff's interests would be helpful. Furthermore, such a rule may fail several of the Governor's criteria.)

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 which could include social security number.
- (f) employer and the length of employment
- (g) information on spouse and co-tenant
- (h) previous address

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

(PSE is not aware of problems with energy utilities failing to provide service on terms that meet customers' wants and needs. Similarly, PSE finds it difficult to understand what market conditions could arise in the energy industry that would create such problems. On the other hand, there are situations that make it impossible to provide a service date. For instance, an applicant calls in to apply for service for a newly planned home, but the customer has not completed the permitting process. The utility's in service date is uncertain, as the permitting process may be variable. The utility has no control over when the permitting and construction will be completed and therefore, no way to predict the service date. PSE suggests this provision is probably not needed to protect the health, welfare, and safety of Washington's citizens at this time nor in the foreseeable future.)

~~(3)~~

(2) Under no circumstances will a customer resell electricity/gas unless specifically authorized in the filed tariff of the company. *(Unclear as to why the wording is being changed. The new wording is unclear as to whether it is the utility company's tariff that must allow for this or whether the customer that is reselling the electricity/gas must have a tariff filed. It is also unclear as to what responsibility is placed on the utility if one of its customers is reselling the energy it supplies in conflict with this WAC regulation.)*

(3) Should a prospective customer use service prior to making an application, the utility may disconnect service without notice, and shall require the customer

to pay for such service in accordance with the applicable rate schedule or schedules.

(This was in the rules and should not be omitted. It is a fair and efficient way for utilities deal with individuals who consume power before making application for service.)

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 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;

(Arbitrarily tightening the deposit trigger to two delinquency notices in a six month period would mean that customers on a bi-monthly billing schedule could make timely payments only occasionally, yet not meet the standard for a deposit request. A more stringent standard is necessary and fair to protect other customers and utilities.)

(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;

(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;

(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;

(2) The company may, at the time of application or anytime after service has begun, conduct a credit check in order to verify credit worthiness.

(3) 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.

(4) 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.

(5) 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;

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

(6) 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.

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

(8) 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.

(9) 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.

(10) 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.

(11) 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.

(12) Any deposit, plus accrued interest, less any amounts due the utility, must be ~~refunded~~ returned to the customer in accordance with the preference indicated by the customer at the time of deposit 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.

(Tracking a customer's preferred method of refund over the life of a deposit is not necessary, would be costly and time consuming, and would provide little-if any-benefits to customers or utilities.)

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. *(This is an existing rule on the electric side; however, this section is new on the gas side. 480-93 describes master meter operator as it applies to gas systems. As written, it is not clear whether the intent of this rule is to restrict additional systems as described in 480-93 or not. In addition, the conditions in (b) and (c) would be very difficult to interpret and would tend to place the local distribution company in the middle of the customers desire for a specific type of service and the commissions desire to restrict additional master meter operators. Perhaps if Staff's intent and interest here were clarified, alternative wording may be appropriate.)*

(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 judgment, 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.

(Puget Sound Energy believes that some customers misuse the prior obligation rule to avoid paying bills. It may seem reasonable to explore limiting its use to low income customers.)

***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)**

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;

(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.

(The existing rule allows service to be disconnected when the company finds unsafe conditions without prior notification to the customer (existing rule reference - 480-90-071 (e)) - this has been changed to require notice prior to disconnecting. Staff's motivation to require notice prior to discontinuing service in unsafe situations is not clear, but such revision would probably not comply with the Executive Order criteria.)

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

(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 ~~420~~ 30 days unless renewed.

(The current rule stipulates 30 days maximum term without renewal. PSE is not aware of any problems caused by the existing provision. Perhaps it would be helpful if Staff could provide an explanation of why quadrupling the term would be necessary, cost effective, and fair.)

(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 renotice 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 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, 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 480-100-071 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 notify the company prior to vacating the property, 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.**

(There are situations, such as tenant vs. landlord, when the customer's request for disconnection runs counter to the landlord's wishes. In those instances, the utility must be allowed to discontinue but not disconnect the service, since the landlord is accepting responsibility for the service after the tenant vacates the property. The way this is written, a utility would not have that option, and be forced to disconnect service between the tenant's and landlord's occupancy.)

(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~~ 30 days unless renewed.

(The current rule stipulates 30 days maximum term without renewal. PSE is not aware of any problems caused by the existing provision. Perhaps it would be helpful if Staff could provide an explanation of why quadrupling the term would be necessary, cost effective, and fair.)

(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 renotice 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, 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. (This rule is not necessary—please refer to the workshop discussion.)~~

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

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)**. *(Suggest clarifying that this includes a requirement that a customer that is not currently a Master meter operator must notify the company if they plan modifications to their facilities that would make them a master meter operator. The burden of notification should be placed on the customer rather than expecting the company to identify where these customers exist.)*

(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.

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.—(Such a rule is not practically needed and probably not desirable. Utilities currently have a great deal of flexibility to work with customers. To PSE's knowledge, very few reasonable customer complaints are generated as a result of restoration practices. This is an example of trying to create a rule to capture current work practices—please refer to PSE's overall comments in this regard.)~~

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

- (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~~ one year 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.

(The current rule stipulates one year retention. It is not clear tripling the retention rate would be necessary to protect the health, welfare, and safety of Washington's citizens.)

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

(1) Customer bills must:

- (a) be issued at scheduled intervals not to exceed two months;
(Please refer to PSE's initial comments. Bi-monthly bills with meters that a utility is unable to read due to situations beyond their control, such as weather conditions or problems with access to customer properties, might occasionally and necessarily be issued at intervals exceeding the scheduled 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;
- (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;
 - (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
- (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.~~

(This provision is clearly not necessary or fair. Dangerous animals, meters blocked by vegetation, or locked access are common situations that prevent utilities from obtaining reads. In cases where the customer is unable or unwilling to cooperate in solving those problems, it is common, reasonable, and necessary for a utility to estimate bills for more than two billing periods.)

- (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. 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.

(Perhaps Staff does not realize the magnitude of this additional provision. The frequency of payment agency turnover would require almost constant customer notification. Notifying customers is not necessary, and would probably be far more costly to the utilities and customers than minimal (if any) benefits created. Furthermore, PSE suggests Staff carefully consider if the 30 day prior notice to the commission is practically necessary under the Executive Order's criteria. If some kind of reporting is really necessary for payment agencies, perhaps another reporting method would be more efficient.)

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 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~~

~~tribution.~~ (This provision is unnecessary. Please refer to our overall comments.)

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.

Content of notice.

Customer notice, at a minimum, must contain:

- date the notice is issued;
- 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

~~(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.~~

(This is an onerous requirement that fails several of the criteria in the Executive Order.)

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.~~

(It would be helpful if Staff provided its interest behind this proposal. As written, this rule is far too loose. The WUTC would be able to require utilities to distribute ANY communication the commission believes in the public interest. This would clearly be inappropriate and fail several of the Executive Order review criteria. PSE is not aware of any problems encountered working with Public Affairs staff on notices and as a matter of working cooperatively with the commission to issue notices even when not required by law or rule. As discussed in PSE's overall comments, Staff should avoid trying to codify working relationships.)

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.~~ (Please refer to electric comment.)

(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).~~

(Please refer to electric comments.)

Dockets UG-990294 & UE-990473 Gas & Electric Rulemakings

1st initial discussion draft

July 16, 1999

PSE's Feedback on Staff's 1st Initial Discussion Draft

Below is feedback from PSE on several of the rules in this section. As with all sections, please do not interpret PSE's silence on any individual item in this section as acquiescence.

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 monthly actual Washington operations within ___ days of the end of each quarter. The report must contain the results of operations for each of the three months in the quarterly balances, the quarterly results of operations ending balances, and the latest 12 months ending results of operations balance for all accounts of the uniform system of accounts. Results of operations shall be reported on a total company and Washington only basis. ~~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.** Comments: Current monthly reports are more results of operations oriented than providing the copious amounts of information proposed above. It is not clear that all this additional information would provide a higher quality of regulation but would significantly increase costs of producing the reports and increase the cost of WUTC auditing. PSE suggests these expanded requirements may fall short of at least two of the Governor's review criteria—need and cost.

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~~. This last term is quite vague. This broad expansion could have significant unintended consequences by eliminating cost recovery of communicating important information to our customers. Perhaps clarification of Staff's purpose would be helpful.
- (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 changes in expected future gas costs increases and to ammortize 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 explaining demonstrating why a rate change is not necessary.

Docket UG-990294 and UE-990473
Gas/Electric Rule-making
PSE Feedback on Staff's Initial Draft of 7/16/99

Below is feedback from PSE on several of the rules in this section. As with all sections, please do not interpret PSE's silence on any individual item in this section as acquiescence.

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 ~~that is and is~~ subject to commission jurisdiction under RCW 80.04.010 and Chapter 80.28 RCW.

(Revised based on water and other rule revisions)

{The existing rule certainly has considerable information that should be eliminated/moved. However, the rule no longer states this section applies to utilities. If Staff's intent is to apply WAC 480-90 more broadly, to include master meter operators for example, there may be statutory authority issues and issues concerning participation of affected parties in this proceeding }

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

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

(Revised based on water and other rule revisions)

{Clarification based on RCW 80.040.010. Existing rule includes language about tariffs that does not belong in this application section}

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 or company (not sure what was intended here) 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 ~~party~~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 or commission staff's interpretation of these rules may ask the commission to decide whether the gas/electric company or commission staff's interpretation is wrong. If the commission finds the gas/electric company or commission staff'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 or commission staff's interpretation of these rules may ask the commission to decide whether the customer or commission staff's interpretation is wrong. If the commission finds the customer or commission staff's interpretation is wrong, the commission will order appropriate relief.

(Extracted from 480-90-011 and revised)

{This rule is probably not really necessary, as the WUTC already has the authority to interpret and enforce all of these rules. However, by providing a brief summary of the procedure, this proposal may be consistent with Governor's criterion on clarification.}

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 *(it is unclear whether this is intended to read as - meets all of the three following conditions or meets any of the three following conditions. Clarification is required as all customers may fall under a.):*
 - 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.

Docket UG-990294 and UE-990473
Gas/Electric Rule-making
Initial Draft 7/16/99
PSE's Feedback on Staff's Initial Draft

Below is feedback from PSE on several of the rules in this section. As with all sections, please do not interpret PSE's silence on any individual item in this section as acquiescence.

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 in the form of tariffs filed with the commission.

(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 to 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.

{Most meters are now electronic and do not have charts. The software for these electronic recorders may not easily allow recording this information with the file produced from the meter.}

(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, or other units the commission may approve in the form of tariffs filed with the commission.

{This rule has to do with meter reading but the second sentence has been changed to obligate the companies to provide information relating to billable units rather than information to allow the customer to compute the quantity registered. The information to calculate therms is more appropriate in WAC 480-90-106 since it changes each billing period}

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.

{There is an added requirement to have the company's name or initials on each meter. Due to recent mergers and name changes this could be a very costly requirement. In addition the cost of new meters would be higher with this requirement. Is the health, welfare, and safety of Washington's citizens dependent on having this information on meters?}

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 (does this include eaves - if so this is very restrictive and may create other conflicts with Meter set assembly placement), intake ducts, and other

outside areas where gas can accumulate and migrate into buildings.

{This should be clarified whether this is a company or a customer requirement. }

{Currently, most companies have requirements that state required clearances from these building features. However, where these clearances can not be obtained, vent piping or regulators that utilize an overpressure shut-off that would not vent gas to the atmosphere are acceptable alternatives. The rule as proposed would unnecessarily restrict these practices.

If the requirement is for the customer to notify the company if they are remodeling and creating a situation as described above, this needs to be clarified. }

(2) All meter set assemblies will be located outside buildings unless prior approval by the Commission. {This seems unnecessarily restrictive. Are there any documented cases where this created a problem? This is not a typical installation, however, there are cases where it makes sense and it would be inefficient and inappropriate to force utilities to request WUTC approval on each one individually.}

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

{This requirement is a shifting of costs to the company and will require a corresponding change in the line extension tariffs for new MSA. The rule may not be fair to utilities, as it may be impractical to monitor how each customer makes revisions to their property over time; e.g., a small restaurant that adds a drive-through window does not have to notify the gas company, but as written, the gas company would be out of compliance with this rule if the customer's driveway now runs close to the MSA. Furthermore, damage from vehicles CAN occur in very unlikely places. Therefore, in addition to being unfair, the benefits of this rule probably fall short of its costs.}

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.~~

{There has never been an indication of a problem with the register ratio and constant. This is difficult to check and costly. Also due to our sample meter program, we do not recalibrate the meter, in fact the meter is not tested unless there was some indication of a problem. If the meter is outside limits, it is then torn down for analysis and disposed of. This section is redundant with the sample test program and will require PSE to have another 1 or 2 full time meter testers. Therefore, the rule does not seem necessary nor do the benefits of the rule appear to be greater than costs.}

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 accuracy 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:
 - (i) ~~(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.
 - (ii) ~~(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.
 - (iii) ~~(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 initiate an accuracy 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. *{Comment: It is not clear if Staff intended to drop the word "initiate." Requiring gas meters be tested w/in 10 days has no impact on customers, as the meter has been removed—it would simply add costs. As far as PSE is aware, tightening this requirement is not necessary for electric meters.}*

(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 charge for additional meter tests. 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 watt-hour 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 watt-hour 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/[isrt]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 who will accept all responsibility for future maintenance and operation in accordance with its filed tariffs.

(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.

(5) Customer will pay all interconnection costs in excess of their standard rate
{Comment: This language does not include references to the maximum size and renewable requirements of the existing law. These provisions should be added.}

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/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/electric 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/electric company tariff,

(b) As an additional service receiving a gas/electric 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 gas/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 noticeable 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.

{Noticeable is an important clarification that was deleted. There is a pressure drop that occurs across the meter inherent in the operation of the meter. This pressure drop fluctuates slightly depending on the volume of gas passing through the meter.}

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.

{Are these changes only intended to make this easier to read? With understanding of the intent of the proposed changes, more meaningful comments can be provided.}

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.

{This may conflict with 480-100-136/141/146}

- (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 voltage impressed on primary terminals, 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 all portable indicating electrical instruments used to determine quality of electrical service; such as volt-meters, ammeters, and watt-meters and all fixed-location meter testing equipment in use against suitable reference standards at least once every 6 months. 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: It will be very expensive to apply this to all meters used in labs and field. We have hot stick meters used to determine if a conductor is

hot. This rule would require that we calibrate these twice a year. They are not meant to be accurate, just show if a line is hot or not. Existing rule states "used in determining quality of service" – even this seems broad. Combining accuracy of test standards and portable equipment may result in several unintended consequences, all of which would be costly and unnecessary. These devices are typically used for two different purposes, and their accuracy requirements are quite different.}

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.

{This section is not needed—the integrated nature of utilities in the WSCC necessitates utilities coordinate. WSCC currently requires companies to "true up" every 10 minutes. We agree to this now, but may not in the future if WSCC changes their rule. It is a voluntary organization that includes not just the Private utilities that are under this rule.}

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 interfere with the normal operation of the electric company's facilities nor facilities or equipment of another customer, nor cause objectionable flicker in other customers' lights. {Comment: this provision is important, as customers may install new or upgraded devices that cause flicker, completely unrelated to the service provided by utilities.}