

Chapter 480-80 WAC

UTILITIES GENERAL--TARIFFS(~~(, PRICE LISTS,)~~) AND CONTRACTS

AMENDATORY SECTION (Amending General Order R-510, Docket No. A-010648, filed 11/24/03, effective 1/1/04)

WAC 480-80-010 Application of rules. (1) The rules in this chapter apply to any public service company that is subject to the jurisdiction of the commission as to rates and services under the provisions of Title 80 RCW.

(2) The tariffs(~~(, price lists,)~~) and contracts filed by public service companies must conform with these rules. If the commission accepts a tariff(~~(, price list,)~~) or contract that conflicts with these rules, the acceptance does not constitute a waiver of these rules unless the commission specifically approves the variation consistent with WAC 480-80-015 (Exemptions from rules in chapter 480-80 WAC). Tariffs(~~(, price lists,)~~) or contracts that conflict with these rules without approval are superseded by these rules.

(3) Any affected person may ask the commission to review the interpretation of these rules by a public service company or customer by posing an informal complaint under WAC 480-07-910 (Informal complaints), or by filing a formal complaint under WAC 480-07-370 (Pleadings--General).

(4) No deviation from these rules is permitted without written authorization by the commission. Violations will be subject to penalties as provided by law.

(5) Any tariff(~~(, price list,)~~) or contract on file and in effect or pending on the effective date of these rules is not required to be refiled to comply with these rules.

AMENDATORY SECTION (Amending General Order R-510, Docket No. A-010648, filed 11/24/03, effective 1/1/04)

WAC 480-80-015 Exemptions from rules in chapter 480-80 WAC. (1) The commission may grant an exemption from the provisions of any rule in this chapter, if consistent with the public interest, the purposes underlying regulation, and applicable statutes.

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

(3) The commission will assign the request a docket number, if it does not arise in an existing docket, and will schedule the request for consideration at one of its regularly scheduled open meetings or, if appropriate under chapter 34.05 RCW, in an adjudication. The commission will notify the person requesting the exemption, and other affected persons, of the date of the hearing or open meeting when the commission will consider the request.

(4) In determining whether to grant the request, the commission may consider whether application of the rule would impose undue hardship on the petitioner, of a degree or a kind different from hardship imposed on other similarly situated persons, and whether the effect of applying the rule would be contrary to the purposes of the rule.

(5) The commission will enter an order granting or denying the request or setting it for hearing, pursuant to chapter 480-07 WAC.

~~((6) Competitive telecommunications companies previously granted exemptions from chapter 480-80 WAC Utilities general Tariffs, price lists, and contracts, are not exempt from Part I and Part III of this chapter. Exemptions from the provisions of chapter 480-80 WAC include only the provisions in effect at the time the exemption was granted. This subsection confirms that there is no change in exemptions previously granted to telecommunications companies that have been classified as competitive as a result of:~~

~~(a) Moving rules between chapters 480-80 and 480-120 WAC; and~~

~~(b) Renumbering sections within chapters 480-80 and 480-120 WAC.)~~

AMENDATORY SECTION (Amending Docket No. U-991301, General Order No. R-498, filed 5/14/02, effective 6/17/02)

WAC 480-80-030 Definitions. The definitions in this section apply throughout the chapter unless the context clearly requires otherwise:

"Advice number" means a number assigned by the applicant to a tariff filing or contract filing for internal tracking purposes.

"Banded rate" means a rate that has a minimum and maximum rate.

"Commission" means the Washington utilities and transportation commission.

"Competitive telecommunications company" means a telecommunications company that has been classified as competitive by the commission pursuant to RCW 80.36.310.

"Fax" means the transmittal of electronic signals over telephone lines for conversion into written text.

~~((**"Price list"** means a telecommunications company's standard offer to the general public or to other telecommunications companies of one or more intrastate telecommunications services that the commission has determined to be subject to effective competition.))~~

"Public service company" means every gas company, electric company, telecommunications company, water company, or irrigation plant that is subject to the jurisdiction of the commission as to rates and service.

"RCW" means the Revised Code of Washington.

"Tariff" is a document that sets forth terms and conditions of regulated service, including rates, charges, tolls, rentals, rules, and equipment and facilities, and the manner in which rates and charges are assessed for regulated services provided to customers, and rules and conditions associated with offering service.

"Unified Business Identifier (UBI) number" means the standard nine-digit sequential number issued by Washington state and used by all state agencies to uniquely identify a business entity. The department of licensing, department of revenue, and secretary of state's office are authorized to issue UBI numbers.

"Utility" means every public service company that has not been classified as competitive by the commission.

"WAC" means the Washington Administrative Code.

AMENDATORY SECTION (Amending Docket No. U-991301, General Order No. R-498, filed 5/14/02, effective 6/17/02)

WAC 480-80-031 Delivery of tariff(~~(, price list,)~~) and contract filings. (1) The commission records center will accept a tariff(~~(, price list,)~~) or contract filing delivered in person, by mail, fax, or (~~((when procedures are in place))~~) electronic means. The commission records center will stamp a filing received on Saturdays, Sundays, and state holidays, or after 5:00 p.m., Pacific time, as received on the next business day.

(2) In person or by mail.

(a) In order to be deemed received on a given day, the commission records center must receive an original and two copies of the filing(s) and a transmittal letter by 5:00 p.m., Pacific time.

(b) A filing delivered by mail must be free from all charges for postage. The commission records center will return any postage-due filing to the sender.

(3) Fax filing.

(a) The commission records center must receive an original and two copies of the filing the following business day.

(b) The commission will use the date and time the fax filing is received and printed at the commission records center as the official file date.

(c) The commission records center must receive a faxed filing in its entirety by 5:00 p.m., Pacific time, Monday through Friday, except on state holidays, to be considered received on that business day.

(4) Electronic filing.

(a) An electronic filing must conform to commission procedures for electronic filing.

(b) After accepting an electronic filing, the commission records center will return an electronic mail message noting the receipt date.

~~((III. PRICE LISTS AND CONTRACTS: COMPETITIVE COMPANIES AND SERVICES))~~

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 480-80-201	Use of price lists.
WAC 480-80-202	Interpretation and application of price lists.
WAC 480-80-203	Transmittal letter.
WAC 480-80-204	Price lists format and content.
WAC 480-80-205	Effective date of price list filings.
WAC 480-80-206	Price list availability to customers.
WAC 480-80-241	Filing contracts for services classified as competitive.
WAC 480-80-242	Using contracts for services classified as competitive.