



STATE OF WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION

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**NOTICE OF OPPORTUNITY TO RESPOND TO SMALL BUSINESS ECONOMIC  
IMPACT STATEMENT (SBEIS) QUESTIONNAIRE  
(Due by July 29, 2022)**

Re: Rulemaking to incorporate amendments to RCW 80.24.010, updating the Commission's regulatory fees, Docket U-220271

TO ALL INTERESTED PERSONS:

On July 1, 2022, the Washington Utilities and Transportation Commission (Commission) filed with the Code Reviser a Preproposal Statement of Inquiry (CR-101) to revise Commission rules to incorporate amendments to RCW 80.24.010, updating the Commission's authority to assess regulatory fees for utility companies and issued a Notice of Opportunity to File Written Comments (Notice).<sup>1</sup> The Commission filed the CR-101 in Docket U-220271.

The Notice explains that this rulemaking would implement the legislature's revision to RCW 80.24.010. Specifically, the Commission must conform its rules to the statute by amending WAC 480-90-252(5), 480-100-252(5), 480-110-505(5), 480-120-382(6), and 480-120-385(4) to provide that for each utility company the "annual regulatory fee is set by statute at one-tenth of one percent of the first fifty thousand dollars of gross intrastate operating revenue plus ~~two~~four tenths of one percent of any gross intrastate operating revenue in excess of fifty thousand dollars." The Commission does not anticipate any other changes to these rules or to the Commission's process for establishing regulatory fees. Thus the Commission will consider whether to decrease fees for classes of utilities from the level established by the legislature at an open meeting prior to implementing the increase if the Commission revises the rules as contemplated. The Commission expects that as a result of this process, the regulatory fees that

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<sup>1</sup> See Docket U-220271, Notice of Opportunity to File Written Comments (July 1, 2022).

the class of telecommunications companies will continue to be calculated using the current percentage of their gross intrastate operating revenues.

The Commission requests that affected companies provide information concerning whether the contemplated amendment of these rules creates additional costs for your company. The cost information you provide concerning these contemplated amendments will assist the Commission to assess the possible costs of the rules and to determine whether a Small Business Economic Impact Statement (SBEIS) is required.

Washington's Regulatory Fairness Act, chapter RCW 19.85, is intended to focus an agency's attention on the economic impact of proposed rules on affected businesses, involve affected businesses in developing rules, and minimize any disproportionate impact of the rules on small businesses.

Before adopting a rule that will impose more than minor costs on an industry, the Commission must analyze the compliance costs for **both large and small** businesses (including lost sales or revenue), involve small businesses in the development of the rule, take feasible steps to reduce the economic impact of the rule on small businesses, and prepare an SBEIS. A "small business" is any profit-making entity that has 50 or fewer employees.

The Commission requests that companies submit to the Commission **no later than 5 p.m. on July 29, 2022**, their analysis of whether the draft rules impose an additional cost impact on the company other than what the company already incurs to comply with WAC 480-07-510(6). Please be sure to include your company name; company contact person, including that person's contact phone number and email address; and the number of people your company employs. For each draft rule for which you identify an additional cost impact, please provide, at a minimum, the following information:

1. Identify the rule number, *i.e.*, WAC 480-100-XXX, of the draft proposed rule that you identify as having a cost impact.
2. Explain why there will be an additional cost impact on the company;
3. Provide a detailed analysis of how you calculated the additional cost impact of each draft rule you identify as having an additional cost impact; and
4. Identify any draft proposed rule that may create a cost savings to the company compared to the current rule.

**DOCKET U-220271**

Pursuant to WAC 480-07-250, responses to the SBEIS questionnaire must be submitted to the Commission in electronic format, specifically in .pdf format (using Adobe Acrobat or similar software). As provided in WAC 480-07-140(5), you must submit those responses via the Commission's web portal at [www.utc.wa.gov/e-filing](http://www.utc.wa.gov/e-filing). If you are unable to submit documents via the portal, you may submit them via email to the Commission's Records Center at [records@utc.wa.gov](mailto:records@utc.wa.gov) or by mailing or delivering an electronic copy to the Commission's Records Center on a flash drive, DVD, or compact disc that includes the filed document(s). Comment submissions should include:

- The docket number of this proceeding (Docket U-220271).
- The commenting party's name.
- The title and date of the comment or comments.

The Commission will post all responses and other comments on its website at <https://www.utc.wa.gov/casedocket/2022/220271/docsets>.

If you have questions regarding this rulemaking, you may contact staff lead Gregory J. Kopta at (360) 664-1355, or by email at [gregory.kopta@utc.wa.gov](mailto:gregory.kopta@utc.wa.gov).

AMANDA MAXWELL  
Executive Director and Secretary