



# PROPOSED RULE MAKING

## CR-102 (June 2004)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

**Agency:** Washington Utilities and Transportation Commission

- Preproposal Statement of Inquiry was filed as WSR 10-08-094 and 10-16-143; or
- Expedited Rule Making--Proposed notice was filed as WSR \_\_\_\_\_; or
- Proposal is exempt under RCW 34.05.310(4).

- Original Notice
- Supplemental Notice to WSR \_\_\_\_\_
- Continuance of WSR \_\_\_\_\_

**Title of rule and other identifying information:** (Describe Subject) WAC 480-90-179 and WAC 480-100-179 - Electronic Information (New Section); WAC 480-90-103(3) and WAC 480-100-103(3) - Information to consumers; WAC 480-90-153(2) and WAC 480-100-153(2) - Disclosure of private information; WAC 480-90-153(3); WAC 480-90-153(4); WAC 480-100-153(3) and WAC 480-100-153(4) - Disclosure of private information (New Section); WAC 480-90-178(4) and WAC 480-100-178(4) billing requirement and payment date; WAC 480-90-194 and WAC 480-100-194 - Publication of proposed tariff changes to increase charges or restrict access to services; WAC 480-90-194(1) and WAC 480-100-194(1) - Thirty-day notice to individual customers; WAC 480-90-194(3)(a) and WAC 480-100-194(3)(a) - Reduced publication with shortened notice to individual customers; WAC 480-90-194(5)(c) Optional method of publication for purchase gas adjustment (PGA). Docket U-100523.

The proposed rule changes would add a new rule and amend existing rules regarding the provision of information by electronic means.

Specifically, the proposed changes would allow companies to provide bills, notices of tariff revisions, bill inserts including inserts containing information required to be provided to customers or applicants by statute, or rule or commission orders by electronic means in lieu of the use of paper copies sent by U.S. Mail, and the electronic permission for the disclosure of private information with the consent of the customer or other interested parties.

Further, the proposed rule clarifies the consent and disclosures required before the companies can provide the information by electronic means.

### Hearing location(s):

Commission Hearing Room 206  
 Second Floor, Richard Hemstad Building  
 1300 S. Evergreen Park Drive SW  
 Olympia, WA 98504-7250

Date: January 4, 2011 Time: 1:30 p.m.

### Submit written comments to:

Name: Washington Utilities and Transportation Commission  
 Address: 1300 S Evergreen Park Drive S.W.  
 PO Box 47250  
 Olympia, WA 98504-7250

e-mail [records@utc.wa.gov](mailto:records@utc.wa.gov)

fax (360) 586-1150 by (date) December 6, 2010

### Assistance for persons with disabilities: Contact

Susan Holman by December 20, 2010

TTY (360) 586-8203 or (360) 664-1243

**Date of intended adoption:** January 4, 2011  
 (Note: This is NOT the effective date)

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:** The Washington Utilities and Transportation Commission (UTC) is responsible for protecting consumers by ensuring that investor-owned utility services are fairly priced, available, and reliable and by improving the flow of information to allow for more customer choices. E-mailing of bills is not provided for in the Washington Administrative Code rules (WAC 480-90 and WAC 480-100). In lieu of required use of paper copies, companies request the option to provide customers or other interested persons electronic bills, notices of tariff revisions, and bill inserts and to allow electronic permission for the disclosure of private information with the consent of the customer or other interested parties. This may, among other things, save mailing and printing costs.

**Reasons supporting proposal:** See above

**Statutory authority for adoption:** RCW 80.01.040, RCW 80.04.160

**Statute being implemented:** N/A

### Is rule necessary because of a:

- |                         |                              |  |
|-------------------------|------------------------------|--|
| Federal Law?            | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Federal Court Decision? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| State Court Decision?   | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
- If yes, CITATION:

### CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER  
 STATE OF WASHINGTON  
 FILED

**DATE: November 03, 2010**

**TIME: 8:14 AM**

**WSR 10-22-112**

### DATE

November 3, 2010

### NAME (type or print)

David W. Danner

### SIGNATURE

### TITLE

Executive Director and Secretary

**Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:**

None

**Name of proponent:** (person or organization) Washington Utilities and Transportation Commission

- Private
- Public
- Governmental

**Name of agency personnel responsible for:**

Name	Office Location	Phone
Drafting..... Roger Kouchi	1300 S. Evergreen Park Drive SW, Olympia, WA 98504	(360) 664-1101
Implementation.... David W. Danner	1300 S. Evergreen Park Drive SW, Olympia, WA 98504	(360) 664-1208
Enforcement..... David W. Danner	1300 S. Evergreen Park Drive SW, Olympia, WA 98504	(360) 664-1208

**Has a small business economic impact statement been prepared under chapter 19.85 RCW?**

Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone ( ) \_\_\_\_\_

fax ( ) \_\_\_\_\_

e-mail \_\_\_\_\_

No. Explain why no statement was prepared.

With the CR-101, the UTC elicited comments from interested persons regarding the economic impact of the proposed changes. The proposed rules incorporate changes proposed by interested parties and will not result in or impose more than minor costs. Because there will not be more than minor increase in costs resulting from the proposed rule changes, a SBEIS is not required under RCW 19.85.030(1).

**Is a cost-benefit analysis required under RCW 34.05.328?**

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone ( ) \_\_\_\_\_

fax ( ) \_\_\_\_\_

e-mail \_\_\_\_\_

No: Please explain: The Commission is not an agency to which RCW 34.05.328 applies. The proposed rules are not significant legislative rules of the sort referenced in RCW 34.05.328(5).