

**Proposed Rule Changes
Adoption by Reference Date Changes and Other Administrative Changes
Docket No. A-050271
July 13, 2005**

Action	WAC No.	Rule Title	Proposed Changes ^a
Chapter 480-14 WAC, Motor Carriers Excluding Household Goods Carriers and Common Brokers			
Amend	480-14-999	Adoption by reference.	1. Adoption by Reference dates changed as follows: <ul style="list-style-type: none"> • North American Standard Out-of Service Criteria (CVSA)^b April 1, 2005 – No significant change • Title 49 Code of Federal Regulations, October 1, 2004 – Part 390, see Note 1 2. Updated reference title in subsection (1) 3. Updated availability of resource materials

^a Substantive changes highlighted in the notes at the end of this chart are those federal rules and national standards that Staff identified as having a substantive impact on industries regulated by the Commission. Changes to the adopted material that have gone into effect that Staff determined would have a minor impact on the regulated industries and are listed with notation of no significant change. For informational purposes we include other referenced documents in the chart with a notation of no change to current rule, if dates have not changed or if dates have changed but Staff chooses to keep current reference.

^b Commercial Vehicle Safety Alliance’s North American Standard Out-of-Service Criteria (CVSA)

Chapter 480-15 WAC, Household Goods Carriers			
Amend	480-15-999	Adoption by reference.	<ol style="list-style-type: none"> 1. Adoption by Reference dates changed as follows: <ul style="list-style-type: none"> • North American Standard Out-of Service Criteria April 1, 2005 – No significant change • Title 49 Code of Federal Regulations October 1, 2004 – Part 390, see Note 1 2. Updated reference title in subsection (1) 3. Updated availability of resource materials
Chapter 480-30 WAC, Auto Transportation Companies			
Amend	480-30-999	Adoption by reference.	<ol style="list-style-type: none"> 1. Adoption by Reference dates changed as follows: <ul style="list-style-type: none"> • North American Standard Out-of Service Criteria April 1, 2005 – No significant change • Title 49 Code of Federal Regulations October 1, 2004 – No significant change 2. Updated reference title in subsection (1) 3. Updated availability of resource materials
Chapter 480-31 WAC, Private, Nonprofit Transportation Providers			
Amend	480-31-999	Adoption by reference.	<ol style="list-style-type: none"> 1. Adoption by Reference dates changed as follows: <ul style="list-style-type: none"> • North American Standard Out-of Service Criteria April 1, 2005 – No significant change • Title 49 Code of Federal Regulations October 1, 2004 – No significant change 2. Updated reference title in subsection (1) 3. Updated availability of resource materials

Chapter 480-40 WAC, Passenger Charter Carriers			
Amend	480-40-999	Adoption by reference.	<ol style="list-style-type: none"> 1. Adoption by Reference dates changed as follows: <ul style="list-style-type: none"> • North American Standard Out-of Service Criteria April 1, 2005 – No significant change • Title 49 Code of Federal Regulations October 1, 2004 – Parts 382 and 391, see Notes 1 and 2 2. Updated reference title in subsection (1) 3. Updated availability of resource materials
Chapter 480-62 WAC, Railroad Companies—Operations			
Amend	480-62-999	Adoption by reference.	<ol style="list-style-type: none"> 1. Adoption by Reference dates changed as follows: <ul style="list-style-type: none"> • Title 49 Code of Federal Regulations October 1, 2004 – Part 219, see Note 2 • MUTCD^c November 2004 – No significant change • WSDOT^d Chapter 468-95 WAC March 25, 2004 – No significant change • ANSI^e Z308.1 April 29, 2003 – No change to current rule • ANSI/ISEA 107-1999 changed to ANSI/ISEA 107-2004 September 15, 2004 – See Note 3 • Title 49 United States Code January 2, 2002 – No change to current rule 2. Updated availability of resource materials

^c Manual on Uniform Traffic Control Devices (MUTCD)

^d Washington State Department of Transportation (WSDOT)

^e American National Standards Institute (ANSI)

Chapter 480-70 WAC, Solid Waste Collection Companies			
Amend	480-70-999	Adoption by reference.	<p>1. Adoption by Reference dates changed as follows:</p> <ul style="list-style-type: none"> • North American Standard Out-of Service Criteria April 1, 2005 – No significant change • Title 40 Code of Federal Regulations July 1, 2005 – No significant change • Title 49 Code of Federal Regulations October 1, 2004 – Parts 390 and 391, see Note 1; Part 390, see Note 4 <p>2. Updated availability of resource materials</p>
Chapter 480-73 WAC, Hazardous Liquid Pipeline Companies			
Amend	480-73-999	Adoption by reference	<p>1. Adoption by Reference dates changed as follows:</p> <ul style="list-style-type: none"> • Title 18 Code of Federal Regulations April 1, 2005 – No significant change <p>2. Updated availability of resource material</p>
Chapter 480-75 WAC, Hazardous Liquid, Gas, Oil and Petroleum Pipeline Companies—Safety			
Amend	480-75-999	Adoption by reference.	<p>1. Adoption by Reference dates changed as follows:</p> <ul style="list-style-type: none"> • Title 49 Code of Federal Regulations October 1, 2004 – Part 199, see Note 2 • The American Society of Mechanical Engineers (ASME) B31.4 1998 edition - No change to current rule, see Note 5 • Section IX, ASME Boiler and Pressure Vessel Code – as of 2001 No change to current rule, see Note 5 • American Petroleum Institute (API), Standard 1104 – 19th edition See Note 6 • API RP standard 1117 – as of August 1996 No change to current rule <p>2. Updated availability of resource materials</p>

Chapter 480-90 WAC, Gas Companies—Operations			
Amend	480-90-252	Federal Energy Regulatory Commission (FERC) Form No. 2.	1. Correct part reference for Title 18 of the Code of Federal Regulations
Amend	480-90-999	Adoption by reference.	<p>1. Adoption by Reference dates changed as follows:</p> <ul style="list-style-type: none"> • Title 18 Code of Federal Regulations April 1, 2005 – Part 201, see Note 7 • NARUC^f, The Regulations to Govern the Preservation of Records of Electric, Gas, and Water Companies – as of 1985 No change to current rule <p>2. Added language in subsection (1) to preserve the Commission’s ratemaking authority. See Note 7</p> <p>3. Updated availability of resource materials</p>
Chapter 480-100 WAC, Electric Companies			
Amend	480-100-999	Adoption by reference.	<p>1. Adoption by Reference dates changed as follows:</p> <ul style="list-style-type: none"> • Title 18 Code of Federal Regulations April 1, 2005 – Part 101, see Note 7 • NARUC, The Regulations to Govern the Preservation of Records of Electric, Gas, and Water Companies – as of 1985 No change to current rule • National Electrical Code – as of 2002 No change to current rule • ANSI C12.1, Code for Electricity Metering, 2001 – as of 2001 No change to current rule <p>2. Added language in subsection (1) to preserve the Commission’s ratemaking authority. See Note 7</p> <p>3. Updated availability of resource materials</p>

^f National Association of Regulatory Utility Commissioners (NARUC)

Chapter 480-110 WAC, Water Companies			
Amend	480-110-999	Adoption by reference	<p>1. No change to current references:</p> <ul style="list-style-type: none"> • NARUC, Uniform System of Accounts for Water Utilities – as of 1996 No change to current rule • NARUC, The Regulations to Govern the Preservation of Records of Electric, Gas, and Water Companies – as of 1985 No change to current rule
Chapter 480-120 WAC Telecommunications Companies			
Amend	480-120-999	Adoption by reference	<p>1. Adoption by Reference dates changed as follows:</p> <ul style="list-style-type: none"> • American National Standards for Telecommunications - “Network Performance Parameters for Dedicated Digital Services – Specifications” – (ANSI T1.510-1999) – as of December 29, 1999 No change to current rule • The Institute of Electrical and Electronic Engineers (IEEE) Standard Telephone Loop Performance Characteristics as of March 22, 1984 and reaffirmed September 16, 1992 No change to current rule – See Note 8 • National Electrical Safety Code January 1, 2002 – No change to current rule • Title 47 Code of Federal Regulations, except Sections 64.2003 through 64.2009 October 1, 1998 – No change to current rule – See Note 9 • Title 47 Code of Federal Regulations, Sections 64.2003 through 64.2009 October 1, 2004 – No significant change <p>2. Updated availability of resource materials</p>

Note

1. 49 CFR Parts 390 and 391 Federal Motor Carrier Safety Administration: Safety Performance History of New Drivers.

Effective: April 29, 2004 (Docket No. FMCSA 97-2277)

Provides the minimum date for driver safety performance history date employers must seek from new or prospective applicants under consideration for employment as commercial motor vehicle (CMV) drivers; designates where, and from whom, that information must be sought; and requires previous employers to provide the minimum driver safety performance history information. The change will enable prospective motor carrier employers to make better decisions for hiring drivers and that improve CMV safety on the nation's highways.

2. 49 CFR Part 199 Research and Special Programs Administration

Part 219 Federal Railroad Administration

Part 382 Federal Motor Carrier Safety Administration: Procedures for Transportation Workplace Drug and Alcohol Testing Programs: Drug and Alcohol Management Information System Reporting.

Effective: December 31, 2003 (Docket No. OST – 2002 - 13435)

DOT's drug and alcohol testing rules include requirements for select employees to submit drug and alcohol testing data to five DOT agencies. In the past, these employers have been required to use agency-specific Management Information System (MIS) forms for this purpose, twenty-one different forms in all. The DOT recently published a final rule revising the agency MIS forms and condensing them into a one-page form for use throughout all the DOT agencies. The requirement for use of the form is codified 49 CFR part 40. By this action, the DOT endorses the use of this one-page form within its regulated industries, and provides regulated employers with guidance for submission of the form.

3. ANSI/ISEA 107-2004 – American National Standard for High-Visibility Safety Apparel

Effective: September 15, 2004

Provides a uniform, authoritative guide for the design, performance specifications, and use of high-visibility and reflective apparel including vests, jackets, bib/jumpsuit coveralls, trousers and harnesses. Garments that meet this standard can be worn 24 hours a day to provide users with a high level of conspicuity through the use of combined fluorescent and retroreflective materials.

The revised version of the standard expands the product coverage to include high-visibility headwear. It also contains additional testing procedures for knitted fabrics used as background material, and eliminates tests from the previous edition that added no value. User guidance has been expanded to provide occupational scenarios, recommended Performance Classes, and additional examples of garment design. The appendixes now include standard test reports and a compliance certificate.

4. 49 CFR Part 390 Federal Motor Carrier Safety Administration: Federal Motor Carrier Safety Regulations: Hazardous Materials Safety Permits.

Effective: July 30, 2004 (Docket No. FMCSA-97-2180)

The Federal Motor Carrier Safety Administration is establishing a national safety permit program for motor carriers that transport certain hazardous materials in interstate or intrastate commerce. This final rule implements provisions of Federal hazardous materials transportation law. The rule will promote safe and secure transportation of materials and thereby improves motor carrier safety.

5. ASME B31.4, 1998 edition

Section IX of the ASME Boiler and Pressure Vessel Code, as of 2001

The Department of Transportation's Pipeline and Hazardous Materials Safety Administration (PHMSA) has not adopted the newest editions of these references. So that our rules are consistent with the PHMSA, we will retain the current editions.

6. American Petroleum Institute (API) standard 1104 19th edition

The 19th edition of API Standard 1104—Welding of Pipelines and Related Facilities, includes new Appendix that pertains to in-service welding. Due to technological advances in in-service welding, industry needed an update to standards and recommended practices. Appendix B, In-Service Welding, is intended to eventually replace API Recommended Practice 1107—Pipeline Maintenance Welding Practices.

7. 18 CFR Parts 101, 141, 201, and 260 Federal Energy Regulatory Commission (FERC)

The FERC has amended portions of 18 CFR Parts 101, 141, 201, and 260 to update the accounting and financial reporting requirements under its Uniform System of Accounts for jurisdictional public utilities and licensees, natural gas companies and oil pipeline companies. The language added to WAC 480-90-999(1) and WAC 480-100-999(1) codifies UTC policy with respect to ratemaking authority over FERC prescribed accounting.

8. *The Institute of Electrical and Electronic Engineers (IEEE) Standard Telephone Loop Performance Characteristics as of March 22, 1984 and reaffirmed September 16, 1992*

This standard covers the general parameters and characteristics associated with telephone loops from the subscriber signaling and analog voice frequency interface to the local Class 5 switch interface. It includes only those business and residential lines in the North American public switched network where no special performance requirements are involved. This standard provides common denominators for subscriber line performance, independent of facility types, construction processes or equipment, and circuit provisioning methods. IEEE 820-1984 is the latest version for loop performance. There have not been any updates to the “Loop Standards.”

9. 47 CFR, except Sections 64.2003 through 64.2009, as of October 1, 1998

At this time, Staff will continue using the 1998 FCC Part 32 because it contains the required level of detail that fills our needs. Updated versions of Part 32 do not include some accounts and has combined other accounts. Also, the FCC has opened a rulemaking regarding accounting rules. Staff would prefer to maintain the current accounting requirements until the FCC's accounting rule changes are solidified, and until the potential effect of changes to intercarrier compensation on accounting needs can be determined, before making changes to the UTC's accounting rules. If the FCC decides to change the accounting rules in a significant way, then the UTC would be able to carefully analyze how its needs can be met through maintaining the federally-required uniform system of accounts, whatever it might turn out to be, and then can decide what additional accounting requirements it may have.