



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

- | | |
|---|--|
| <input checked="" type="checkbox"/> Preproposal Statement of Inquiry was filed as WSR #08-12-085; or | <input checked="" type="checkbox"/> Original Notice |
| <input type="checkbox"/> Expedited Rule Making--Proposed notice was filed as WSR _____; or | <input type="checkbox"/> Supplemental Notice to WSR _____ |
| <input type="checkbox"/> Proposal is exempt under RCW 34.05.310(4). | <input type="checkbox"/> Continuance of WSR _____ |

Title of rule and other identifying information: WAC 480-31-080 – Private, Nonprofit Transportation Providers - Fees and Annual Report, Docket TN-080875.

Hearing location(s):

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

Date: October 1, 2008 Time: 1:30 PM

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. Please, include: "Docket TN-080875" in your comments.
fax (360) 586-1150 by (date) September 8, 2008

Assistance for persons with disabilities: Contact

Mary De Young by September 29, 2008

TTY (360) 586-8203 or (360) 664-1133

Date of intended adoption: October 1, 2008

(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 (Commission) proposes to remove the annual vehicle fee for non-profit transportation providers from rule and to set the fee by order each year. This allows the Commission more flexibility in adjusting the fee, either up or down, to meet the intent of RCW 81.66.030, which requires the Commission to charge fees that approximate the cost of regulation.

Reasons supporting proposal:

The proposed rule eliminates prescriptive language to allow more flexibility.

Statutory authority for adoption: RCW 80.01.040, RCW 81.04.160, RCW 81.66.030

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:

DATE
July 30, 2008

NAME (type or print)
David W. Danner

SIGNATURE

TITLE
Executive Director and Secretary

<p align="center">OFFICE OF THE CODE REVISER STATE OF WASHINGTON FILED</p> <p>DATE: July 30, 2008 TIME: 8:16 AM</p> <p>WSR 08-16-049</p>

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..... Betty Young	1300 S. Evergreen Pk Drive SW, Olympia, WA 98504	(360) 664-1202
Implementation.... David W. Danner	1300 S. Evergreen Pk Drive SW, Olympia, WA 98504	(360) 664-1208
Enforcement..... David W. Danner	1300 S. Evergreen Pk 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.

The proposed rules will not result in or impose more than minor costs as defined in RCW 19.85.020(2). 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).