



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (June 2004)
(Implements RCW 34.05.310)
Do NOT use for expedited rule making

Agency: Washington Utilities and Transportation Commission

Subject of possible rule making: The subject of the inquiry is to consider whether the Utilities and Transportation Commission (UTC) should propose revised regulations to implement additional consumer protection disclosures in WAC 480-120-264(5), "**Disclosure requirements - Prepaid calling services.**" Specifically, whether the UTC should add new subsections to (5)(a), as follows:

- (vii) The disclosure of rates, terms, and conditions must be made in the language in which the card is advertised.
- (viii) The number of minutes contained on the card must be disclosed on the card or its packaging.

The UTC has commenced this rulemaking under [Docket UT-100148](#).

Statutes authorizing the agency to adopt rules on this subject: RCW 80.01.040 and RCW 80.04.160.

Reasons why rules on this subject may be needed and what they might accomplish: The UTC is responsible for protecting consumers by ensuring that investor-owned utility services, such as pre-paid calling card services, are fairly priced, available, and reliable and by enhancing information to better enable competitive choices for consumers of utility services. The additional disclosures have been proposed at the federal level for interstate services and the UTC believes that the same information would be beneficial for intrastate services. The existing rule on prepaid calling services already includes several protections and disclosures. The enhancements mentioned above, as the subject of possible rule making, are consistent with the UTC's mission.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: Federal and state laws and rules apply. The agencies other than the UTC that have authority concerning prepaid calling services include: The Federal Communications Commission (FCC), the Federal Trade Commission (FTC), and the state Attorney General's Office (AGO).
The laws and regulations that apply overlap and complement each other. That is not expected to change under any likely scenario.

Process for developing new rule (check all that apply):

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe)

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:
(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.)

Interested persons may file comments with the Executive Director and Secretary, Utilities and Transportation Commission, P.O. Box 47250, 1300 S. Evergreen Park Drive S.W., Olympia, Washington, 98504-7250; Telephone (360) 664-1234; Fax (360) 586-1150; Web Portal at www.utc.wa.gov/e-filing; or through E-mail at records@utc.wa.gov;

by 5:00pm, **Monday, March 22, 2010.**

* For specific information regarding opportunities to provide written comments and to ensure receipt of further information concerning this rulemaking please see the attachment to this form or the UTC's website at www.utc.wa.gov/100148.

DATE
February 17, 2010

NAME (TYPE OR PRINT)
David W. Danner

SIGNATURE

TITLE
Executive Director and Secretary

CODE REVISER USE ONLY

**OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED**

**DATE: February 17, 2010
TIME: 9:15 AM**

WSR 10-05-107

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
CR-101 - ATTACHMENT
DOCKET UT-100148

Interested persons may contact the Executive Director and Secretary, Washington Utilities and Transportation Commission, P. O. Box 47250, Olympia, Washington, 98504-7250, 360-664-1234 (Fax: 360-586-1150).

WRITTEN COMMENTS

Written comments may be submitted to the Commission at the address given above and should be filed with the Commission no later than March 22, 2010, for consideration prior to a CR-102 being filed.

Electronic copies. The Commission requests that comments be provided in electronic format to enhance public access, for ease of providing comments, to reduce the need for paper copies, and to facilitate quotations from the comments. Comments may be submitted via the Commission's Web portal at www.utc.wa.gov/e-filing or by electronic mail to the Commission's Records Center at records@utc.wa.gov. Please include:

- The docket number of this proceeding (UT-100148)
- The commenting party's name
- The title and date of the comment or comments

An alternative method for submitting comments may be by mailing/delivering an electronic copy on a 3 ½ inch, IBM-formatted, high-density disk, in .pdf Adobe Acrobat format or in Word 97 or later. Include all of the information requested above. The Commission will post on the Commission's web site all comments that are provided in electronic format. The web site is located at <http://www.utc.wa.gov/100148>. If you are unable to file your comments electronically, the Commission will always accept a paper document.

Opportunity for further comment is anticipated. Information about the schedule and other aspects of the rulemaking, including comments, will be posted on the Commission's web site as it becomes available. If you wish to receive further information on this rulemaking you may (1) call the Commission's Records Center at 360-664-1234, (2) e-mail the Commission at records@utc.wa.gov, or (3) mail written comments to the address above to the attention of David W. Danner, Executive Director and Secretary. When contacting the Commission, please refer to Docket UT-100148 to ensure that you are placed on the appropriate service list.

Questions may be addressed to Tim Zawislak (360) 664-1294 or e-mail tim@utc.wa.gov.

NOTICE

TO CONTINUE RECEIVING NOTICES AND INFORMATION ABOUT THIS RULEMAKING -- The Commission wants to ensure its mailings are sent to persons who are interested in the topic and want to receive that information. ANY PERSON WHO COMMENTS will continue to receive notices and information. If you do not submit comments but wish to remain on the mailing list for this rulemaking, please advise the Records Center by any one of the following methods: (1) send a note with your name, address (or a copy of your mailing label), and telephone and fax numbers referencing Docket UT-100148, and the words "Please keep me on the mailing list"; or (2) E-mail your name, address, telephone and fax numbers, referencing Docket UT-100148, and the words "Please keep me on the mailing list" to <records@utc.wa.gov>. Please note that all information in the mailings will be accessible through the Commission's Internet web site at <www.utc.wa.gov/100148>. **THOSE INTERESTED PERSONS WHO DO NOT RESPOND MAY NOT RECEIVE FURTHER MAILINGS OR INFORMATION ON THE RULEMAKING.**