

July 1, 2011

**NOTICE OF OPPORTUNITY TO FILE LETTER OF INTENT TO PARTICIPATE
(By Wednesday, July 20, 2011)**

RE: Rulemaking to Implement Chapter 214, Laws of 2011, Regulating Wastewater
Companies
Docket US-111021

TO INTERESTED PERSONS:

On June 22, 2011, the Washington Utilities and Transportation Commission (UTC) filed with the Code Reviser a Preproposal Statement of Inquiry (CR-101) to consider adopting rules to implement Chapter 214, Laws of 2011, which establishes the regulation of wastewater companies as private utilities.

The legislation requires that wastewater companies that provide “systems of sewerage” to one hundred or more customers, or at a volume of 27,000 to 100,000 gallons per day, for compensation, first obtain a certificate of public convenience and necessity and be regulated as a private utility by the UTC.

The legislation establishes basic requirements for a certificate, provides authority to require the sale of unfit companies, provides authority to request receivership of failed wastewater companies and incorporates the wastewater company program into the general provisions of Title 80 RCW. Rules may be necessary to implement the law to provide additional details consistent with those requirements and authorities; and establish procedures, methodologies and standards. Rules may also be necessary to govern the sale and transfer of wastewater companies, their operations, financial records and reporting, affiliated transactions, rates, consumer protection provisions and allow the agency to establish regulatory fees charged to companies.

Section 29(2) of Chapter 214, Laws of 2011, authorizes the UTC to collect payments from wastewater companies and other private entities that have notified the UTC of their willingness to cover the costs of this rulemaking. **The UTC is requesting companies or**

other private entities send a letter of intent to participate financially to the UTC at the address listed below no later than July 20, 2011. Upon receipt of the statements of intent, the UTC will proportionately divide the anticipated cost of the rulemaking among those stating their intent to participate, and will send an invoice to those companies, persons or organizations. The UTC will not begin the rulemaking process until it has received sufficient funds to pay for the rulemaking.

The UTC wants to ensure its mailings are sent to persons who are interested in the topic and want to receive that information. Financial participation in the rulemaking is not required to receive mailings, participate in workshops or comment on the draft or proposed regulations. If you wish to continue to receive notices and information about the rulemaking, including an opportunity to participate in or attend workshops, or to comment on drafts or proposed rules, please advise the UTC 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 US-111021, and the words "Please keep me on the mailing list;" or
2. E-mail your name, address, telephone and fax numbers, referencing Docket US-111021, 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: <http://www.utc.wa.gov/111021>.

You must respond to receive further mailings or information on the rulemaking.

When contacting the Commission, please refer to Docket US-111021 to ensure that you are placed on the appropriate service list(s). The Commission's mailing address is:

Executive Director and Secretary
Washington Utilities and Transportation Commission
1300 South Evergreen Park Drive S.W.
P.O. Box 47250
Olympia, Washington 98504-7250

Sincerely,

DAVID W. DANNER
Executive Director and Secretary