

[Service Date April 4, 2003]

April 4, 2003

**NOTICE OF OPPORTUNITY TO FILE WRITTEN COMMENTS
(April 30, 2003)**

RE: Rulemaking (Procedural Rules): Chapter 480-04 WAC—Public Access To Information And Records; Chapter 480-09 WAC—Procedure
Docket No. A-010648

TO INTERESTED PERSONS:

On May 31, 2001, the Washington Utilities and Transportation Commission (Commission) filed with the Code Reviser a Preproposal Statement of Inquiry (CR-101) to initiate a rulemaking to consider revisions to the agency's procedural rules. A copy of the CR-101 is enclosed. Since filing the CR-101, the Commission has solicited written comments, which are available on the Commission's internet site at www.wutc.wa.gov/010648, and has conducted outreach to its customers through workshops, bench/bar conferences, and other means. The Commission also has conducted several internal workshops and has established a "virtual meeting" process through which ideas for revisions to the agency's procedural rules continue to be exchanged among agency personnel.

On March 31, 2003, the Commission team assigned to this project finalized its preliminary proposed revisions to the agency's procedural rules. These revisions are reflected in the two appendices that are available for inspection at the Commission's web site at www.wutc.wa.gov/010648. If you are unable to access the Commission's web page and would like a copy of the appendices mailed to you, please contact the Records Center at 360-664-1234.

Appendix A, if ultimately adopted for consideration in a CR-102 stage, reflects a complete reorganization and revision of the Commission's existing rules of procedure, Chapter 480-09 WAC. Appendix A is in the form of a new chapter to the Washington Administrative Code, denominated Chapter 480-07 for working purposes. If adopted, Chapter 480-07 WAC would completely replace the Commission's current procedural rules (Chapter 480-09 WAC). The draft new chapter was prepared based on customer comments, staff discussions with customers, and internal agency discussions focusing on three areas:

- Rules Organization (logical grouping/order; use of subheadings)
- Clear language (consistent style and grammar)
- Substantive changes (new rules, substantive changes to existing rules)

Appendix B, if ultimately adopted for consideration in a CR-102 stage, reflects a revision of existing Chapter 480-04 WAC. Chapter 480-04 WAC implements the Commission's authority and obligations under Chapter 42.17 RCW, the Open Records Act. Chapter 480-04 WAC was last reviewed in 1997 and would benefit from revisions that will increase clarity and readability, and bring the rules up-to-date.

WRITTEN COMMENTS

Written comments may be submitted by filing with the Commission Secretary either by electronic transmission as described below, or by physical delivery to 1300 S. Evergreen Park Drive S.W., P.O. Box 47250, Olympia, Washington, 98504-7250, no later than **April 30, 2003**.

We encourage you to discuss in your written comments any revisions to the existing chapter 480-04 WAC and chapter 480-09 WAC that you believe will assist the Commission to meet its goal to improve the procedural rules in the following general areas:

- Rules Organization (logical grouping/order; use of subheadings)
- Clear language (consistent style and grammar)
- Possible substantive changes (new rules, substantive changes to existing rules)

Written comments that relate to existing rules should be identified to those rules and, whenever possible, to the corresponding rules in Appendix A or Appendix B. Written comments that relate to Appendix A and Appendix B should be identified to specific

rules whenever possible. Where you wish to suggest editorial changes to improve clarity or readability, substantive changes, or new rules, we will appreciate your proposals for specific rule language.

Filing Guidelines. The Commission requests, but does not require, that comments be provided in electronic format to facilitate quotations from the comments, to enhance public access, and to reduce the need for additional paper copies. The Commission prefers to receive comments either via e-mail attachment (addressed to records@wutc.wa.gov) or on a 3½ inch IBM formatted high-density disk, in .pdf (Adobe Acrobat) format and either MSWord 97 or later, or WordPerfect version 5.1or later. Please include in your e-mail message or on a diskette label the docket number of this proceeding and the your name, mailing address, e-mail address, telephone and facsimile numbers, and state the type of software you used to create your comments. The Commission will post on its web site all comments that are provided in electronic format. The web site is located at <http://www.wutc.wa.gov/010648>.

If you are unable to file your comments electronically, please file the original and 16 copies of your comments with the Commission Secretary at the address indicated above.

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 the information 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@wutc.wa.gov>, or (3) mail written comments to the address above to the attention of Carole J. Washburn, Secretary. When contacting the Commission, please refer to Docket No. A-010648 to ensure that you are placed on the appropriate service list.

Notice—How To Stay Informed

If you don't want to comment now, but do want to receive future information about this rulemaking, please notify the Secretary in one of the ways described above and ask to be included on the mailing list for Docket No. A-010648. If you do not do this, you will not receive further information about this rulemaking.

STAKEHOLDER WORKSHOP. The Commission may schedule a workshop during May or June 2003, to discuss the Commission's procedural rules. The Commission requests that parties include in their written comments, or state by separate communication to the Commission, whether they believe a workshop is needed with specific reference to particular rules or subject matter that they believe cannot be adequately addressed through written comments. The Commission also requests that any person who would be interested in participating in a workshop, if one is scheduled, indicate any dates during May and June when they would not be able to participate due to existing commitments.

If you need additional information please call Dennis Moss at (360) 664-1164 or e-mail him at <dmoss@wutc.wa.gov>.

Sincerely,

CAROLE J. WASHBURN
Secretary