

**NOTICE OF REQUEST FOR ATTORNEY GENERAL'S OPINION
WASHINGTON ATTORNEY GENERAL**

The Washington Attorney General issues formal published opinions in response to requests by the heads of state agencies, state legislators, and county prosecuting attorneys. When it appears that individuals outside the Attorney General's Office have information or expertise that will assist in the preparation of a particular opinion, a summary of that opinion request will be published in the state register. If you are interested in commenting on a request listed in this volume of the register, you should notify the Attorney General's Office of your interest by February 28, 2001. This is not the due date by which comments must be received. However, if you do not notify the Attorney General's Office of your interest in commenting on an opinion request by February 28, 2001, the opinion may be issued before your comments have been received. You may notify the Attorney General's Office of your intention to comment by calling (360) 586-4218, or by writing to the Solicitor General, Office of the Attorney General, P.O. Box 40100, Olympia, Washington 98504-0100. When you notify the office of your intention to comment, you will be provided with a copy of the opinion request in which you are interested; information about the Attorney General's Opinion process; information on how to submit your comments; and a due date by which your comments must be received to ensure that they are fully considered.

The Attorney General's Office seeks public input on the following opinion request(s).

01-01-06 Request by Honorable Jeff Morris, State Representative, 40th District

1. When a PUD or a rural port district provides telecommunications facilities for its own internal telecommunications needs, is the public utility district or rural port district engaging in a proprietary or a governmental activity? 2. When a PUD or a rural port district is providing telecommunications facilities for the provision of wholesale telecommunications services, is this activity a proprietary or governmental activity? 3. RCW 39.34.080 allows public agencies to contract with one or more other public agencies to perform any governmental service activity or undertaking that each public agency entering into the contract is authorized by law to perform. Does this statute or any other statute authorize a PUD or rural port district to provide telecommunications services or facilities directly to another public agency as an end-user? 4. Does RCW 54.16.330(1) and 53.08.370(1) preclude PUDs and rural port districts from providing telecommunications services or facilities to end-users under any circumstance? 5. Could a PUD or rural port district sell excess capacity from internal telecommunications systems directly to end-users under any circumstances?

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