

Chapter 480-90 WAC

GAS COMPANIES—OPERATIONS

WAC

PART I—GENERAL PROVISIONS

480-90-001	Purpose.
480-90-003	Application of rules.
480-90-008	Exemptions from rules in chapter 480-90 WAC.
480-90-013	Additional requirements.
480-90-018	Severability.
480-90-023	Definitions.
480-90-028	Tariffs and special contracts.
480-90-033	Distribution line extension tariff.

PART II—CONSUMER RULES

480-90-103	Information to consumers.
480-90-108	Application for service.
480-90-113	Residential service deposit requirements.
480-90-118	Nonresidential services deposit requirements.
480-90-123	Refusal of service.
480-90-128	Disconnection of service.
480-90-133	Reconnecting service after disconnection.
480-90-138	Payment arrangements.
480-90-143	Winter low-income payment program.
480-90-148	Service responsibility.
480-90-153	Disclosure of private information.
480-90-158	Service connections.
480-90-163	Service entrance facilities.
480-90-168	Access to premises; identification.
480-90-173	Gas utility's responsibility for complaints and disputes.
480-90-178	Billing requirements and payment date.
480-90-179	Electronic information.
480-90-183	Complaint meter tests.
480-90-188	Payment locations.
480-90-193	Posting of tariffs for public inspection and review.
480-90-194	Publication of proposed tariff changes to increase charges or restrict access to services.
480-90-195	Notice of tariff changes other than increases in recurring charges and restrictions in access to services.
480-90-197	Adjudicative proceedings where public testimony will be taken.
480-90-198	Notice verification and assistance.
480-90-199	Other customer notice.

PART III—FINANCIAL RECORDS AND REPORTING RULES

480-90-203	Accounting system requirements.
Subpart A: General Rules	
480-90-207	Filing information.
480-90-209	Additional reports.
480-90-213	Expenditures for political or legislative activities.
480-90-223	Advertising.
480-90-228	Retention and preservation of records and reports.
480-90-233	Purchased gas adjustment.
480-90-238	Integrated resource planning.
Subpart B: Financial Transaction Reporting Requirements	
480-90-242	Issuing securities.
480-90-244	Transferring cash or assuming obligations.
480-90-245	Affiliated interests—Contracts or arrangements.
480-90-248	Transfers of property.
Subpart C: Annual Reporting Requirements	
480-90-252	Federal Energy Regulatory Commission (FERC) Form No. 2.
480-90-257	Commission basis report.
480-90-262	Securities report.
480-90-264	Affiliated interest and subsidiary transactions report.
480-90-268	Essential utilities services contracts report.
Subpart D: Quarterly Reporting Requirement	
480-90-275	Actual results for Washington operations report.

PART IV—GAS METERING AND STANDARDS RULES

480-90-303	Heating value of gas.
480-90-308	Meter readings.
480-90-313	Meter charges.
480-90-323	Meter set assembly location.
480-90-328	Meter identification.
480-90-333	Initial accuracy of meters.
480-90-338	Metering tolerance.
480-90-343	Statement of meter test procedures.
480-90-348	Frequency of periodic meter tests.
480-90-353	Meter history records.

PART V—ADOPTION BY REFERENCE

480-90-999	Adoption by reference.
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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

480-90-010	Application of rules. [Order R-5, § 480-90-010, filed 6/6/69, effective 10/9/69.] Repealed by Order R-27, filed 7/15/71. See WAC 480-90-011.
480-90-011	Application of rules. [Order R-27, § 480-90-011, filed 7/15/71.] Repealed by WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), filed 5/3/01, effective 6/3/01. Statutory Authority: RCW 80.01.040 and 80.04.160.
480-90-016	Saving clause. [Order R-27, § 480-90-016, filed 7/15/71.] Repealed by WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), filed 5/3/01, effective 6/3/01. Statutory Authority: RCW 80.01.040 and 80.04.160.
480-90-020	Saving clause. [Order R-5, § 480-90-020, filed 6/6/69, effective 10/9/69.] Repealed by Order R-27, filed 7/15/71. See WAC 480-90-016.
480-90-021	Glossary. [Statutory Authority: RCW 80.01.040. WSR 95-01-050 (Order R-424, Docket No. UG-940085), § 480-90-021, filed 12/13/94, effective 1/13/95; WSR 87-23-028 (Order R-279, Cause No. U-87-590-R), § 480-90-021, filed 11/12/87; WSR 84-23-030 (Order R-220, Cause No. U-84-63), § 480-90-021, filed 11/15/84; Order R-27, § 480-90-021, filed 7/15/71.] Repealed by WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), filed 5/3/01, effective 6/3/01. Statutory Authority: RCW 80.01.040 and 80.04.160.
480-90-026	Tariffs. [Order R-27, § 480-90-026, filed 7/15/71.] Repealed by WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), filed 5/3/01, effective 6/3/01. Statutory Authority: RCW 80.01.040 and 80.04.160.
480-90-030	Definitions of terms as used in these rules. [Order R-5, § 480-90-030, filed 6/6/69, effective 10/9/69.] Repealed by Order R-27, filed 7/15/71. See WAC 480-90-021.
480-90-031	Accounting. [Statutory Authority: RCW 80.01.040. WSR 90-01-058 (Order R-313, Docket No. U-89-3099-R), § 480-90-031, filed 12/15/89, effective 1/15/90; WSR 89-12-070 (Order R-302, Docket No. U-89-2641-R), § 480-90-031, filed 6/7/89; Order R-27, § 480-90-031, filed 7/15/71.] Repealed by WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), filed 5/3/01, effective 6/3/01. Statutory Authority: RCW 80.01.040 and 80.04.160.
480-90-032	Accounting—Political information and political education activities. [Statutory Authority: RCW 80.01.040. WSR 86-04-072 (Order R-251, Cause No. U-85-78), § 480-90-032, filed 2/5/86.] Repealed by WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), filed 5/3/01, effective 6/3/01. Statutory Authority: RCW 80.01.040 and 80.04.160.
480-90-036	Finance—Securities, affiliated interests, transfers of property. [Order R-27, § 480-90-036, filed 7/15/71.] Repealed by WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), filed 5/3/01, effective 6/3/01.

	6/3/01. Statutory Authority: RCW 80.01.040 and 80.04.160.	480-90-076	Service responsibilities. [Order R-27, § 480-90-076, filed 7/15/71.] Repealed by WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), filed 5/3/01, effective 6/3/01. Statutory Authority: RCW 80.01.040 and 80.04.160.
480-90-040	Statement of test procedures. [Order R-5, § 480-90-040, filed 6/6/69, effective 10/9/69.] Repealed by Order R-27, filed 7/15/71. See WAC 480-90-166.		
480-90-041	Availability of information. [Order R-83, § 480-90-041, filed 6/30/76; Order R-27, § 480-90-041, filed 7/15/71.] Repealed by WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), filed 5/3/01, effective 6/3/01. Statutory Authority: RCW 80.01.040 and 80.04.160.	480-90-080	Information available. [Order R-5, § 480-90-080, filed 6/6/69, effective 10/9/69.] Repealed by Order R-27, filed 7/15/71. See WAC 480-90-041.
480-90-043	Advertising. [Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 81-01-101 (Order R-153, Cause No. U-80-97), § 480-90-043, filed 12/23/80.] Repealed by WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), filed 5/3/01, effective 6/3/01. Statutory Authority: RCW 80.01.040 and 80.04.160.	480-90-081	Service connections. [Order R-27, § 480-90-081, filed 7/15/71.] Repealed by WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), filed 5/3/01, effective 6/3/01. Statutory Authority: RCW 80.01.040 and 80.04.160.
480-90-046	Application for service. [Order R-27, § 480-90-046, filed 7/15/71.] Repealed by WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), filed 5/3/01, effective 6/3/01. Statutory Authority: RCW 80.01.040 and 80.04.160.	480-90-086	Service entrance. [Order R-27, § 480-90-086, filed 7/15/71.] Repealed by WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), filed 5/3/01, effective 6/3/01. Statutory Authority: RCW 80.01.040 and 80.04.160.
480-90-050	Tariffs. [Order R-5, § 480-90-050, filed 6/6/69, effective 10/9/69.] Repealed by Order R-27, filed 7/15/71. See WAC 480-90-026.	480-90-090	Complaints. [Order R-5, § 480-90-090, filed 6/6/69, effective 10/9/69.] Repealed by Order R-27, filed 7/15/71. See WAC 480-90-096.
480-90-051	Establishment of credit. [Statutory Authority: RCW 80.01.040. WSR 95-01-050 (Order R-424, Docket No. UG-940085), § 480-90-051, filed 12/13/94, effective 1/13/95; WSR 87-23-028 (Order R-279, Cause No. U-87-590-R), § 480-90-051, filed 11/12/87; WSR 86-07-031 (Order R-255, Cause No. U-85-80), § 480-90-051, filed 3/14/86; Order R-83, § 480-90-051, filed 6/30/76; Order R-27, § 480-90-051, filed 7/15/71.] Repealed by WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), filed 5/3/01, effective 6/3/01. Statutory Authority: RCW 80.01.040 and 80.04.160.	480-90-091	Access to premises. [Order R-27, § 480-90-091, filed 7/15/71.] Repealed by WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), filed 5/3/01, effective 6/3/01. Statutory Authority: RCW 80.01.040 and 80.04.160.
480-90-056	Refusal of service. [Order R-27, § 480-90-056, filed 7/15/71.] Repealed by WSR 01-24-077 (General Order No. R-496, Docket No. UG-990294), filed 12/3/01, effective 1/3/02. Statutory Authority: RCW 80.01.040 and 80.04.160.	480-90-096	Complaints and disputes. [Statutory Authority: RCW 80.01.040. WSR 95-01-050 (Order R-424, Docket No. UG-940085), § 480-90-096, filed 12/13/94, effective 1/13/95; Order R-83, § 480-90-096, filed 6/30/76; Order R-27, § 480-90-096, filed 7/15/71.] Repealed by WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), filed 5/3/01, effective 6/3/01. Statutory Authority: RCW 80.01.040 and 80.04.160.
480-90-060	Classification of accounts. [Order R-5, § 480-90-060, filed 6/6/69, effective 10/9/69.] Repealed by Order R-27, filed 7/15/71.	480-90-100	Record of complaints. [Order R-5, § 480-90-100, filed 6/6/69, effective 10/9/69.] Repealed by Order R-27, filed 7/15/71. See WAC 480-90-096.
480-90-061	Contract for service. [Order R-27, § 480-90-061, filed 7/15/71.] Repealed by WSR 01-09-002 (Docket No. U-991301, General Order No. R-481), filed 4/4/01, effective 5/5/01. Statutory Authority: RCW 80.04.160 and 80.01.040.	480-90-101	Quality of gas. [Order R-27, § 480-90-101, filed 7/15/71.] Repealed by WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), filed 5/3/01, effective 6/3/01. Statutory Authority: RCW 80.01.040 and 80.04.160.
480-90-066	Distribution extensions. [Order R-27, § 480-90-066, filed 7/15/71.] Repealed by WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), filed 5/3/01, effective 6/3/01. Statutory Authority: RCW 80.01.040 and 80.04.160.	480-90-106	Form of bills. [Order R-83, § 480-90-106, filed 6/30/76; Order R-27, § 480-90-106, filed 7/15/71.] Repealed by WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), filed 5/3/01, effective 6/3/01. Statutory Authority: RCW 80.01.040 and 80.04.160.
480-90-070	Annual reports. [Order R-5, § 480-90-070, filed 6/6/69, effective 10/9/69.] Repealed by Order R-27, filed 7/15/71.	480-90-110	Filing of records and reports. [Order R-5, § 480-90-110, filed 6/6/69, effective 10/9/69.] Repealed by Order R-27, filed 7/15/71. See WAC 480-90-181.
480-90-071	Discontinuance of service. [Statutory Authority: RCW 80.01.040. WSR 95-01-050 (Order R-424, Docket No. UG-940085), § 480-90-071, filed 12/13/94, effective 1/13/95; WSR 89-17-034 (Order R-305, Docket No. U-89-2707-R), § 480-90-071, filed 8/9/89, effective 9/9/89; WSR 88-07-070 (Order R-284, Cause No. U-87-1525-R), § 480-90-071, filed 3/18/88; WSR 87-23-028 (Order R-279, Cause No. U-87-590-R), § 480-90-071, filed 11/12/87; WSR 84-23-030 (Order R-220, Cause No. U-84-63), § 480-90-071, filed 11/15/84. Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 81-01-101 (Order R-153, Cause No. U-80-97), § 480-90-071, filed 12/23/80; Order R-83, § 480-90-071, filed 6/30/76; Order R-27, § 480-90-071, filed 7/15/71.] Repealed by WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), filed 5/3/01, effective 6/3/01. Statutory Authority: RCW 80.01.040 and 80.04.160.	480-90-111	Dispute as to billing. [Order R-27, § 480-90-111, filed 7/15/71.] Repealed by Order R-83, filed 6/30/76.
480-90-072	Payment arrangements and responsibilities. [Statutory Authority: RCW 80.01.040. WSR 95-01-050 (Order R-424, Docket No. UG-940085), § 480-90-072, filed 12/13/94, effective 1/13/95; WSR 87-23-028 (Order R-279, Cause No. U-87-590-R), § 480-90-072, filed 11/12/87; WSR 84-23-030 (Order R-220, Cause No. U-84-63), § 480-90-072, filed 11/15/84.] Repealed by WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), filed 5/3/01, effective 6/3/01. Statutory Authority: RCW 80.01.040 and 80.04.160.	480-90-116	Refunds for inaccurate metering. [Order R-27, § 480-90-116, filed 7/15/71.] Repealed by WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), filed 5/3/01, effective 6/3/01. Statutory Authority: RCW 80.01.040 and 80.04.160.
		480-90-120	Identification of employees. [Order R-5, § 480-90-120, filed 6/6/69, effective 10/9/69.] Repealed by Order R-27, filed 7/15/71. See WAC 480-90-091.
		480-90-121	Responsibility for delinquent accounts. [Order R-27, § 480-90-121, filed 7/15/71.] Repealed by WSR 01-24-077 (General Order No. R-496, Docket No. UG-990294), filed 12/3/01, effective 1/3/02. Statutory Authority: RCW 80.01.040 and 80.04.160.
		480-90-126	Meter reading. [Order R-27, § 480-90-126, filed 7/15/71.] Repealed by WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), filed 5/3/01, effective 6/3/01. Statutory Authority: RCW 80.01.040 and 80.04.160.
		480-90-130	Application for service. [Order R-5, § 480-90-130, filed 6/6/69, effective 10/9/69.] Repealed by Order R-27, filed 7/15/71. See WAC 480-90-046.
		480-90-131	Installation of meter set assembly (MSA). [Order R-27, § 480-90-131, filed 7/15/71.] Repealed by WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), filed 5/3/01, effective 6/3/01. Statutory Authority: RCW 80.01.040 and 80.04.160.
		480-90-136	Location of meter set assembly. [Order R-27, § 480-90-136, filed 7/15/71.] Repealed by WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), filed 5/3/01, effective 6/3/01. Statutory Authority: RCW 80.01.040 and 80.04.160.

- 480-90-140 Contract for service. [Order R-5, § 480-90-140, filed 6/6/69, effective 10/9/69.] Repealed by Order R-27, filed 7/15/71. See WAC 480-90-061.
- 480-90-141 Identification of meters. [Order R-27, § 480-90-141, filed 7/15/71.] Repealed by WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), filed 5/3/01, effective 6/3/01. Statutory Authority: RCW 80.01.040 and 80.04.160.
- 480-90-146 Initial accuracy of meters. [Order R-27, § 480-90-146, filed 7/15/71.] Repealed by WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), filed 5/3/01, effective 6/3/01. Statutory Authority: RCW 80.01.040 and 80.04.160.
- 480-90-150 Deposits. [Order R-5, § 480-90-150, filed 6/6/69, effective 10/9/69.] Repealed by Order R-27, filed 7/15/71. See WAC 480-90-051.
- 480-90-151 Metering tolerance. [Order R-27, § 480-90-151, filed 7/15/71.] Repealed by WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), filed 5/3/01, effective 6/3/01. Statutory Authority: RCW 80.01.040 and 80.04.160.
- 480-90-156 Dispute as to meter accuracy. [Order R-27, § 480-90-156, filed 7/15/71.] Repealed by WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), filed 5/3/01, effective 6/3/01. Statutory Authority: RCW 80.01.040 and 80.04.160.
- 480-90-160 Discontinuance of service by customer. [Order R-5, § 480-90-160, filed 6/6/69, effective 10/9/69.] Repealed by Order R-27, filed 7/15/71. See WAC 480-90-071.
- 480-90-161 Complaint meter test. [Order R-27, § 480-90-161, filed 7/15/71.] Repealed by WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), filed 5/3/01, effective 6/3/01. Statutory Authority: RCW 80.01.040 and 80.04.160.
- 480-90-166 Statement of meter test procedures. [Statutory Authority: RCW 80.01.040. WSR 95-01-050 (Order R-424, Docket No. UG-940085), § 480-90-166, filed 12/13/94, effective 1/13/95; Order R-27, § 480-90-166, filed 7/15/71.] Repealed by WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), filed 5/3/01, effective 6/3/01. Statutory Authority: RCW 80.01.040 and 80.04.160.
- 480-90-170 Discontinuance of service by utility. [Order R-5, § 480-90-170, filed 6/6/69, effective 10/9/69.] Repealed by Order R-27, filed 7/15/71. See WAC 480-90-071.
- 480-90-171 Frequency of periodic meter tests. [Statutory Authority: RCW 80.01.040. WSR 95-01-050 (Order R-424, Docket No. UG-940085), § 480-90-171, filed 12/13/94, effective 1/13/95; Order R-27, § 480-90-171, filed 7/15/71.] Repealed by WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), filed 5/3/01, effective 6/3/01. Statutory Authority: RCW 80.01.040 and 80.04.160.
- 480-90-176 Meter history records. [Order R-27, § 480-90-176, filed 7/15/71.] Repealed by WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), filed 5/3/01, effective 6/3/01. Statutory Authority: RCW 80.01.040 and 80.04.160.
- 480-90-180 Responsibility for delinquent accounts. [Order R-5, § 480-90-180, filed 6/6/69, effective 10/9/69.] Repealed by Order R-27, filed 7/15/71. See WAC 480-90-121.
- 480-90-181 Filing of records and reports and the preservation of records. [Statutory Authority: RCW 80.01.040. WSR 95-01-050 (Order R-424, Docket No. UG-940085), § 480-90-181, filed 12/13/94, effective 1/13/95; Order R-64, § 480-90-181, filed 2/13/74; Order R-27, § 480-90-181, filed 7/15/71.] Repealed by WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), filed 5/3/01, effective 6/3/01. Statutory Authority: RCW 80.01.040 and 80.04.160.
- 480-90-190 Refusal of service. [Order R-5, § 480-90-190, filed 6/6/69, effective 10/9/69.] Repealed by Order R-27, filed 7/15/71. See WAC 480-90-056.
- 480-90-191 Least cost planning. [Statutory Authority: RCW 80.01.040. WSR 87-21-031 (Order R-274, Cause No. U-86-142), § 480-90-191, filed 10/12/87.] Repealed by WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), filed 5/3/01, effective 6/3/01. Statutory Authority: RCW 80.01.040 and 80.04.160.
- 480-90-200 Quality of gas. [Order R-5, § 480-90-200, filed 6/6/69, effective 10/9/69.] Repealed by Order R-27, filed 7/15/71. See WAC 480-90-101.
- 480-90-201 Prohibited fixtures. [Statutory Authority: RCW 80.01.-040(4) and 80.04.160. WSR 79-11-134 (Order R-133, Cause No. U-79-45), § 480-90-201, filed 11/7/79.] Repealed by WSR 89-08-030 (Order R-297, Docket No. U-88-1867-R), filed 3/30/89. Statutory Authority: RCW 80.01.040.
- 480-90-206 Exemptions fixtures. [Statutory Authority: RCW 80.01.040(4) and 80.04.160. WSR 79-11-134 (Order R-133, Cause No. U-79-45), § 480-90-206, filed 11/7/79.] Repealed by WSR 89-08-030 (Order R-297, Docket No. U-88-1867-R), filed 3/30/89. Statutory Authority: RCW 80.01.040.
- 480-90-208 Financial reporting requirements. [Statutory Authority: RCW 80.01.040, 80.04.160, 81.04.160, and 2003 c 296. WSR 04-05-031 (Docket No. A-031232, General Order No. R-512), § 480-90-208, filed 2/11/04, effective 3/13/04. Statutory Authority: RCW 80.01.040, 80.04.-160, 81.04.160 and 34.05.353. WSR 02-18-033 (Docket No. A-020379, General Order No. R-501), § 480-90-208, filed 8/26/02, effective 9/26/02. Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), § 480-90-208, filed 5/3/01, effective 6/3/01.] Repealed by WSR 05-06-051 (Docket No. A-021178 and TO-030288, General Order No. R-518), filed 2/28/05, effective 3/31/05. Statutory Authority: RCW 80.01.040, 80.04.160, 81.04.160 and 34.05.353.
- 480-90-210 Character of service. [Order R-5, § 480-90-210, filed 6/6/69, effective 10/9/69.] Repealed by Order R-27, filed 7/15/71. See WAC 480-90-076.
- 480-90-211 Business offices and payment agencies. [Statutory Authority: RCW 80.01.040. WSR 95-01-050 (Order R-424, Docket No. UG-940085), § 480-90-211, filed 12/13/94, effective 1/13/95.] Repealed by WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), filed 5/3/01, effective 6/3/01. Statutory Authority: RCW 80.01.040 and 80.04.160.
- 480-90-216 Prohibited service. [Statutory Authority: RCW 80.01.-040(4) and 80.04.160. WSR 79-11-134 (Order R-133, Cause No. U-79-45), § 480-90-216, filed 11/7/79.] Repealed by WSR 89-08-030 (Order R-297, Docket No. U-88-1867-R), filed 3/30/89. Statutory Authority: RCW 80.01.040.
- 480-90-218 Securities, affiliated interests, and transfers of property. [Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), § 480-90-218, filed 5/3/01, effective 6/3/01.] Repealed by WSR 05-06-051 (Docket No. A-021178 and TO-030288, General Order No. R-518), filed 2/28/05, effective 3/31/05. Statutory Authority: RCW 80.01.040, 80.04.160, 81.04.160 and 34.05.353.
- 480-90-220 Change in character of service. [Order R-5, § 480-90-220, filed 6/6/69, effective 10/9/69.] Repealed by Order R-27, filed 7/15/71. See WAC 480-90-076.
- 480-90-221 Exemptions—Prohibited service—Lighting of historical significance. [Statutory Authority: RCW 80.01.-040(4) and 80.04.160. WSR 79-11-134 (Order R-133, Cause No. U-79-45), § 480-90-221, filed 11/7/79.] Repealed by WSR 89-08-030 (Order R-297, Docket No. U-88-1867-R), filed 3/30/89. Statutory Authority: RCW 80.01.040.
- 480-90-226 Exemptions—Prohibited service—Memorial lighting. [Statutory Authority: RCW 80.01.040(4) and 80.04.160. WSR 79-11-134 (Order R-133, Cause No. U-79-45), § 480-90-226, filed 11/7/79.] Repealed by WSR 89-08-030 (Order R-297, Docket No. U-88-1867-R), filed 3/30/89. Statutory Authority: RCW 80.01.040.
- 480-90-230 Pressure variation. [Order R-5, § 480-90-230, filed 6/6/69, effective 10/9/69.] Repealed by Order R-27, filed 7/15/71. See WAC 480-90-076.
- 480-90-231 Exemptions—Prohibited service—Commercial lighting of a traditional nature. [Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 81-09-009 (Order R-161, Cause No. U-81-13), § 480-90-231, filed 4/8/81. Statutory Authority: RCW 80.01.040(4) and 80.04.160. WSR 79-11-134 (Order R-133, Cause No. U-79-45), § 480-90-231, filed 11/7/79.] Repealed by WSR 89-08-030 (Order R-297, Docket No. U-88-1867-R), filed 3/30/89. Statutory Authority: RCW 80.01.040.
- 480-90-240 Changes in use. [Order R-5, § 480-90-240, filed 6/6/69, effective 10/9/69.] Repealed by Order R-27, filed 7/15/71. See WAC 480-90-076.
- 480-90-241 Exemptions—Prohibited service—Safety of persons and property. [Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 81-09-009 (Order R-161, Cause No. U-81-13), § 480-90-241, filed 4/8/81. Statutory Author-

- ity: RCW 80.01.040(4) and 80.04.160. WSR 79-11-134 (Order R-133, Cause No. U-79-45), § 480-90-241, filed 11/7/79.] Repealed by WSR 89-08-030 (Order R-297, Docket No. U-88-1867-R), filed 3/30/89. Statutory Authority: RCW 80.01.040.
- 480-90-246 Exemptions—Prohibited service—Substantial expense and not cost justified. [Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 81-09-009 (Order R-161, Cause No. U-81-13), § 480-90-246, filed 4/8/81. Statutory Authority: RCW 80.01.040(4) and 80.04.160. WSR 79-11-134 (Order R-133, Cause No. U-79-45), § 480-90-246, filed 11/7/79.] Repealed by WSR 89-08-030 (Order R-297, Docket No. U-88-1867-R), filed 3/30/89. Statutory Authority: RCW 80.01.040.
- 480-90-250 Adequacy and continuity of service. [Order R-5, § 480-90-250, filed 6/6/69, effective 10/9/69.] Repealed by Order R-27, filed 7/15/71. See WAC 480-90-076.
- 480-90-251 Exemptions—Prohibited service—Public interest. [Statutory Authority: RCW 80.01.040(4) and 80.04.160. WSR 79-11-134 (Order R-133, Cause No. U-79-45), § 480-90-251, filed 11/7/79.] Repealed by WSR 89-08-030 (Order R-297, Docket No. U-88-1867-R), filed 3/30/89. Statutory Authority: RCW 80.01.040.
- 480-90-256 Exemptions—Stays. [Statutory Authority: RCW 80.01.040(4) and 80.04.160. WSR 79-11-134 (Order R-133, Cause No. U-79-45), § 480-90-256, filed 11/7/79.] Repealed by WSR 89-08-030 (Order R-297, Docket No. U-88-1867-R), filed 3/30/89. Statutory Authority: RCW 80.01.040.
- 480-90-260 Distribution extensions. [Order R-5, § 480-90-260, filed 6/6/69, effective 10/9/69.] Repealed by Order R-27, filed 7/15/71. See WAC 480-90-066.
- 480-90-261 Temporary exemption—Time to install substitute lighting. [Statutory Authority: RCW 80.01.040(4) and 80.04.160. WSR 79-11-134 (Order R-133, Cause No. U-79-45), § 480-90-261, filed 11/7/79.] Repealed by WSR 89-08-030 (Order R-297, Docket No. U-88-1867-R), filed 3/30/89. Statutory Authority: RCW 80.01.040.
- 480-90-266 Utility to notify customer. [Statutory Authority: RCW 80.01.040(4) and 80.04.160. WSR 79-11-134 (Order R-133, Cause No. U-79-45), § 480-90-266, filed 11/7/79.] Repealed by WSR 89-08-030 (Order R-297, Docket No. U-88-1867-R), filed 3/30/89. Statutory Authority: RCW 80.01.040.
- 480-90-270 Service connections. [Order R-5, § 480-90-270, filed 6/6/69, effective 10/9/69.] Repealed by Order R-27, filed 7/15/71. See WAC 480-90-081.
- 480-90-271 Petitions for exemption. [Statutory Authority: RCW 80.01.040(4) and 80.04.160. WSR 79-11-134 (Order R-133, Cause No. U-79-45), § 480-90-271, filed 11/7/79.] Repealed by WSR 89-08-030 (Order R-297, Docket No. U-88-1867-R), filed 3/30/89. Statutory Authority: RCW 80.01.040.
- 480-90-276 Action for failure to comply. [Statutory Authority: RCW 80.01.040(4) and 80.04.160. WSR 79-11-134 (Order R-133, Cause No. U-79-45), § 480-90-276, filed 11/7/79.] Repealed by WSR 89-08-030 (Order R-297, Docket No. U-88-1867-R), filed 3/30/89. Statutory Authority: RCW 80.01.040.
- 480-90-280 Service entrance. [Order R-5, § 480-90-280, filed 6/6/69, effective 10/9/69.] Repealed by Order R-27, filed 7/15/71. See WAC 480-90-086.
- 480-90-281 Procedure for unknown prohibited use. [Statutory Authority: RCW 80.01.040(4) and 80.04.160. WSR 79-11-134 (Order R-133, Cause No. U-79-45), § 480-90-281, filed 11/7/79.] Repealed by WSR 89-08-030 (Order R-297, Docket No. U-88-1867-R), filed 3/30/89. Statutory Authority: RCW 80.01.040.
- 480-90-286 Failure of utility to comply. [Statutory Authority: RCW 80.01.040(4) and 80.04.160. WSR 79-11-134 (Order R-133, Cause No. U-79-45), § 480-90-286, filed 11/7/79.] Repealed by WSR 89-08-030 (Order R-297, Docket No. U-88-1867-R), filed 3/30/89. Statutory Authority: RCW 80.01.040.
- 480-90-290 Access to premises. [Order R-5, § 480-90-290, filed 6/6/69, effective 10/9/69.] Repealed by Order R-27, filed 7/15/71. See WAC 480-90-091.
- 480-90-300 Forms of bills. [Order R-5, § 480-90-300, filed 6/6/69, effective 10/9/69.] Repealed by Order R-27, filed 7/15/71. See WAC 480-90-106.
- 480-90-310 Dispute as to bills. [Order R-5, § 480-90-310, filed 6/6/69, effective 10/9/69.] Repealed by Order R-27, filed 7/15/71. See WAC 480-90-111.
- 480-90-320 Location of meter and regulator. [Order R-5, § 480-90-320, filed 6/6/69, effective 10/9/69.] Repealed by Order R-27, filed 7/15/71. See WAC 480-90-136.
- 480-90-330 Installation of meters. [Order R-5, § 480-90-330, filed 6/6/69, effective 10/9/69.] Repealed by Order R-27, filed 7/15/71. See WAC 480-90-131.
- 480-90-340 Meter reading. [Order R-5, § 480-90-340, filed 6/6/69, effective 10/9/69.] Repealed by Order R-27, filed 7/15/71. See WAC 480-90-126.
- 480-90-350 Determination of maximum demand. [Order R-5, § 480-90-350, filed 6/6/69, effective 10/9/69.] Repealed by Order R-27, filed 7/15/71. See WAC 480-90-106.
- 480-90-360 Initial accuracy of meters. [Order R-5, § 480-90-360, filed 6/6/69, effective 10/9/69.] Repealed by Order R-27, filed 7/15/71. See WAC 480-90-146.
- 480-90-370 Permissible error. [Order R-5, § 480-90-370, filed 6/6/69, effective 10/9/69.] Repealed by Order R-27, filed 7/15/71. See WAC 480-90-151.
- 480-90-380 Method of testing. [Order R-5, § 480-90-380, filed 6/6/69, effective 10/9/69.] Repealed by Order R-27, filed 7/15/71.
- 480-90-390 Frequency of periodic tests. [Order R-5, § 480-90-390, filed 6/6/69, effective 10/9/69.] Repealed by Order R-27, filed 7/15/71. See WAC 480-90-171.
- 480-90-400 Meter history records. [Order R-5, § 480-90-400, filed 6/6/69, effective 10/9/69.] Repealed by Order R-27, filed 7/15/71. See WAC 480-90-176.
- 480-90-410 Dispute as to accuracy of meters. [Order R-5, § 480-90-410, filed 6/6/69, effective 10/9/69.] Repealed by Order R-27, filed 7/15/71. See WAC 480-90-156.
- 480-90-420 Free complaint meter test. [Order R-5, § 480-90-420, filed 6/6/69, effective 10/9/69.] Repealed by Order R-27, filed 7/15/71. See WAC 480-90-161.
- 480-90-430 Fee for extra-complaint meter tests. [Order R-5, § 480-90-430, filed 6/6/69, effective 10/9/69.] Repealed by Order R-27, filed 7/15/71. See WAC 480-90-161.
- 480-90-440 Identification of meters. [Order R-5, § 480-90-440, filed 6/6/69, effective 10/9/69.] Repealed by Order R-27, filed 7/15/71. See WAC 480-90-140.
- 480-90-450 Complaint reports. [Order R-5, § 480-90-450, filed 6/6/69, effective 10/9/69.] Repealed by Order R-27, filed 7/15/71.
- 480-90-460 Refunds for inaccurate metering. [Order R-5, § 480-90-460, filed 6/6/69, effective 10/9/69.] Repealed by Order R-27, filed 7/15/71. See WAC 480-90-116.
- 480-90-470 Meter seals. [Order R-5, § 480-90-470, filed 6/6/69, effective 10/9/69.] Repealed by Order R-27, filed 7/15/71. See WAC 480-90-146.
- 480-90-480 Reports of accidents. [Order R-5, § 480-90-480, filed 6/6/69, effective 10/9/69.] Repealed by Order R-27, filed 7/15/71.

PART I—GENERAL PROVISIONS

WAC 480-90-001 Purpose. The legislature has declared that operating as a gas utility in the state of Washington is a business affected with the public interest and that such utilities should be regulated. The purpose of these rules is to administer and enforce chapter 80.28 RCW by establishing rules of general applicability and requirements for:

- Consumer protection;
- Financial records and reporting;
- Gas standards and metering.

[Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), § 480-90-001, filed 5/3/01, effective 6/3/01.]

WAC 480-90-003 Application of rules. (1) The rules in this chapter apply to any gas utility that is subject to the jurisdiction of the commission under RCW 80.04.010 and chapter 80.28 RCW. These rules also include various requirements of the utility's customers and applicants.

(2) The tariff provisions filed by utilities must conform with these rules. If the commission accepts a tariff that conflicts with these rules, the acceptance does not constitute a

waiver of these rules unless the commission specifically approves the variation consistent with WAC 480-90-008, Exemption from rules in chapter 480-90 WAC. Tariffs that conflict with these rules without approval are superseded by these rules.

(3) Any affected person may ask the commission to review the interpretation of these rules by a utility or customer by posing an informal complaint under WAC 480-07-910, Informal complaints, or by filing a formal complaint under WAC 480-07-370, Pleadings and briefs—Application for authority—Protests.

(4) No deviation from these rules is permitted without written authorization by the commission. Violations will be subject to penalties as provided by law.

[Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 03-24-028 (General Order R-510, Docket No. A-010648), § 480-90-003, filed 11/24/03, effective 1/1/04; WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), § 480-90-003, filed 5/3/01, effective 6/3/01.]

WAC 480-90-008 Exemptions from rules in chapter 480-90 WAC. The commission may grant an exemption from the provisions of any rule in this chapter in the same manner and consistent with the standards and according to the procedures set forth in WAC 480-07-110 (Exceptions from and modifications to the rules in this chapter; special rules).

[Statutory Authority: RCW 80.01.040, 80.04.160, 81.04.160 and 34.05.353. WSR 05-06-051 (Docket No. A-021178 and TO-030288, General Order No. R-518), § 480-90-008, filed 2/28/05, effective 3/31/05. Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 03-24-028 (General Order R-510, Docket No. A-010648), § 480-90-008, filed 11/24/03, effective 1/1/04; WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), § 480-90-008, filed 5/3/01, effective 6/3/01.]

WAC 480-90-013 Additional requirements. (1) These rules do not relieve any gas utility from any of its duties and obligations under the laws of the state of Washington.

(2) The commission retains the authority to impose additional or different requirements on any gas utility in appropriate circumstances, consistent with the requirements of law.

[Statutory Authority: RCW 80.10.040 and 80.04.160. WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), § 480-90-013, filed 5/3/01, effective 6/3/01.]

WAC 480-90-018 Severability. If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of the chapter or the application of the provision to other persons or circumstances is not affected.

[Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), § 480-90-018, filed 5/3/01, effective 6/3/01.]

WAC 480-90-023 Definitions. "Affiliated interest" means a person or corporation as defined in RCW 80.16.010.

"Applicant" means any person, corporation, partnership, government agency, or other entity that applies for service with a gas utility or who reapplies for service at a new or existing location after service has been discontinued.

"British thermal unit" (Btu) means the quantity of heat required to raise the temperature of one pound of water at 60° Fahrenheit and standard pressure, one degree Fahrenheit.

"Business day" means Monday through Friday, 8:00 a.m. until 5:00 p.m., except for official state holidays.

"Commission" means the Washington utilities and transportation commission.

"Control" means the possession, direct or indirect, of the power to direct or cause the direction of the management and policies of a company, whether through the ownership of voting shares, by contract, or otherwise.

"Customer" means any person, corporation, partnership, government agency, or other entity that applied for, has been accepted for, and is currently receiving service.

"Cubic foot of gas" means a volumetric unit of measure used in sales and testing.

"Sales volume" means a cubic foot of gas for billing purposes is the amount of gas that occupies a volume of one cubic foot under the temperature and pressure conditions existing in the customer's meter. Temperature and/or pressure recording or compensating devices may be used to reflect temperature or pressure base conditions for computing the volume sold. Temperature and/or pressure compensation factors may be used to compute the volume of gas sold as provided in the utility's tariff.

"Testing volume" means a cubic foot of gas for testing purposes is the amount that occupies a volume of one cubic foot at a temperature of 60° Fahrenheit and pressure of 14.73 pounds per square inch absolute.

"Gas" means any fuel or process gas, whether liquid petroleum gas, manufactured gas, natural gas, or any mixture of these.

"Liquefied petroleum gas" means a gas consisting of vapors of one or more of the paraffin hydrocarbons, or a combination of one or more of these vapors with air.

"Manufactured gas" means any gas produced artificially by any process.

"Natural gas" means a mixture of gaseous hydrocarbons (chiefly methane) and nonhydrocarbons that occur naturally in the earth.

"Subsidiary" means any company in which the gas utility owns directly or indirectly five percent or more of the voting securities, unless the utility demonstrates it does not have control.

"Therm" means a unit of heat equal to 100,000 Btus.

"Gas utility" (utility) means any business entity (e.g., corporation, company, association, joint stock association, or partnership) or person, including a lessee, trustee, or court appointed receiver, that meets the three following conditions:

Owns, controls, operates, or manages any gas plant in Washington state;

Manufactures, transmits, distributes, sells, or furnishes gas to the public for compensation; and

Is subject to the commission's jurisdiction.

Terms used in this chapter and defined in the public service laws of Washington state (i.e., principally Title 80 RCW) have the same meaning here as in the statutes. Terms not defined in these rules or the applicable statutes have the meaning generally accepted in the gas industry, or their ordinary meaning if there is no meaning generally accepted in the gas industry.

[Statutory Authority: RCW 80.01.040, 80.04.160, 81.04.160 and 34.05.353. WSR 05-06-051 (Docket No. A-021178 and TO-030288, General Order No. R-518), § 480-90-023, filed 2/28/05, effective 3/31/05. Statutory Authority:

RCW 80.01.040 and 80.04.160. WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), § 480-90-023, filed 5/3/01, effective 6/3/01.]

WAC 480-90-028 Tariffs and special contracts. A gas utility must publish its rate schedules and rules and regulations governing service, and file special contracts, in accordance with chapter 480-80 WAC, Utilities general—Tariffs, price lists, and contracts.

[Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), § 480-90-028, filed 5/3/01, effective 6/3/01.]

WAC 480-90-033 Distribution line extension tariff. Each gas utility must file, as a part of its tariff, a distribution line extension rule setting forth the conditions under which it will extend its facilities to make service available to an applicant.

[Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), § 480-90-033, filed 5/3/01, effective 6/3/01.]

PART II—CONSUMER RULES

WAC 480-90-103 Information to consumers. (1) Each gas utility must make available at each of its listed business offices information regarding rates, rules, and regulations needed for its customers and applicants to obtain adequate and efficient service.

(2) The utility must maintain a toll-free telephone number available for its applicants and customers during business hours to receive information relating to services and rates, to accept and process orders for service, to explain charges on customer bills, to adjust charges made in error, to respond to customer inquiries and complaints, and to generally act as representatives of the utility.

(3) The utility must provide to each applicant relevant rate information and a brochure that explains the rights and responsibilities of a utility customer. The brochure must include, at a minimum, information about the utility's regular business hours, the utility's mailing address, the utility's toll-free number, the twenty-four hour emergency number(s), and an explanation of the utility's processes to establish credit, deposits, billing, delinquent accounts, disconnection of service initiated by the utility, cancellation of service by the customer, the dispute resolution process, and the commission's informal complaint procedures to be followed if the customer remains dissatisfied with the utility's dispute process. The utility may provide this information in an electronic format consistent with provisions in this chapter governing the use of electronic information.

(4) At least once each year, the utility must directly advise each of its customers how to obtain:

- (a) A copy of the consumer brochure described in subsection (3) of this section;
- (b) A copy of the customer's applicable rate information;
- (c) A copy of the gas rules, chapter 480-90 WAC; and
- (d) A copy of the utility's current rates and regulations.

(5) The utility must provide an applicant, upon request, the high and low bills for the requested service premises during the prior calendar year, if such data is available.

(6) The utility must provide a customer, upon request, a detailed account of the customer's actual natural gas usage at the service premises for the previous twelve-month period, if such data is available.

(7) The utility must provide customers information comparing energy usage for the current month and the same billing month of the previous year, if available, either on the customers' bills or upon request as follows:

- (a) Number of days in billing period;
- (b) Therms used; and
- (c) Average therms used per day.

(8) The utility must provide the commission with electronic or paper copies of all pamphlets, brochures, and bill inserts of regulated service information at the same time the utility delivers such material to its customers.

[Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 11-06-032 (Docket U-100523, General Order R-563), § 480-90-103, filed 2/25/11, effective 3/28/11; WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), § 480-90-103, filed 5/3/01, effective 6/3/01.]

WAC 480-90-108 Application for service. (1) When an applicant orders service from a gas utility, the applicant will be responsible for conforming to the rules and regulations that are in effect and on file with the commission.

(2) The utility may require the following information when an applicant applies for service:

- (a) The applicant's name, address, and telephone number, and an alternative contact telephone number, if applicable, of the responsible party at the service premises;
- (b) The date the service is requested to be effective;
- (c) The type of service requested, such as residential or commercial service, and the type of equipment to be served at the service premises;

(d) Proof of identification. The utility must allow the applicant to choose from a list, provided by the utility, of at least five sources of identification. The list must include a current driver's license or other picture identification; and

(e) Any additional information the utility may reasonably require for billing and service.

(3) The utility must offer, if available, a service-order tracking number so the customer can easily identify the service request in subsequent interactions with the utility.

(4) The utility must provide the following service dates to the applicant:

(a) For service at a location where utility service facilities exist and will not have to be modified in any way to serve the applicant, the utility must provide a service date at the time of application. If the utility becomes aware that the service date cannot be met, it must notify the applicant on or prior to the service date.

(b) For service at a location where utility service facilities do not exist or require modification, the utility will provide the following service dates:

(i) Upon request by the applicant, prior to signing a service agreement, the utility must provide a range of dates by which service can be made available;

(ii) Upon signing a service agreement with the applicant, the utility must provide a date by which service will be made available. If the utility becomes aware that the service date cannot be met, it must notify the applicant on or prior to the service date.

(5) Under no circumstances will gas be remetered or submetered by a customer for resale to another or others.

[Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), § 480-90-108, filed 5/3/01, effective 6/3/01.]

WAC 480-90-113 Residential service deposit requirements. (1) **Deposit criteria for residential customers.** A gas utility may collect a deposit from its own customers for residential service only if:

(a) At any time during the prior twelve months, the utility has sent the customer three or more delinquency notices;

(b) The utility has disconnected the customer's residential service for nonpayment; or

(c) There is a prior customer living at the residence who owes a past-due bill to the utility for service at that address.

(2) **Deposit criteria for residential applicants.** A utility may collect a deposit from an applicant for residential service only if:

(a) The applicant has met any of the conditions described in subsection (1) of this section as a prior customer of the utility or as a customer of another natural gas utility;

(b) The applicant is not able to demonstrate continuous employment during the prior twelve consecutive months and neither is currently employed nor has a regular source of income;

(c) The applicant does not own or is not purchasing the premises to be served;

(d) There is a prior customer living at the residence who owes a past-due bill to the utility at that address; or

(e) The applicant has an unpaid, overdue balance owing to any electric or gas utility for residential service.

(3) **Deposit amount.** Deposits required for a customer or location must not exceed:

(a) Two-twelfths of the estimated annual billings for utilities billing monthly; or

(b) Three-twelfths of estimated annual billings for utilities billing bimonthly.

(4) **Deposit payment arrangements.** The utility must allow an applicant or customer the option of paying fifty percent of the deposit prior to service, and paying the remaining balance in equal amounts over the next two months, on the dates mutually agreed upon between the applicant or customer and the utility. The utility and applicant or customer may make other mutually acceptable deposit payment arrangements.

(5) **Alternative to deposit.** The utility must allow any applicant or customer who indicates an inability to pay a deposit:

(a) To prepay any service initiation fees and reasonably estimated regular service charges or budget billings at periods corresponding to the utility's regular billing periods for the length of time during which a deposit would ordinarily be required. The utility must then bill the applicant or customer in a normal fashion; or

(b) To furnish a satisfactory guarantor. A guarantor must be considered satisfactory if the guarantor has at least established credit with the utility as outlined in this section. A utility may, at its discretion, accept a guarantor that does not meet the requirements of this section. If the customer has been disconnected, the guarantor is responsible for the

amount stated on the disconnection notice, not to exceed the amount of the deposit as defined in subsection (3) of this section unless the guarantor has agreed to guarantee an additional amount as specified in subsection (7) of this section; or

(c) To notify the utility of the inability to pay a deposit as provided in WAC 480-90-143, Winter low-income payment program; or

(d) The opportunity to provide a reference from a similar utility that can quickly and easily be checked if the conditions in subsection (1) of this section cannot be met.

(6) **Transfer of deposit.** When a customer moves to a new address within the utility's service territory, the deposit plus accrued interest, less any outstanding balance owing from the old address, must be transferred to the new address or refunded.

(7) **Additional deposit.** If a deposit or additional deposit amount is required after the service is established, the reasons must be specified to the customer in writing. Any request for a deposit or additional deposit amount must comply with the standards outlined in subsection (1) of this section. If the original deposit was secured by a guarantor and the guarantor does not agree to be responsible for the additional deposit amount, the customer will be held responsible for paying the additional deposit.

(8) **Deposit payment date.** Any deposit or additional deposit amount required after service is established is due and payable not earlier than 5:00 p.m. of the sixth business day after notice if the deposit requirement notice is mailed from within the states of Washington, Oregon, or Idaho, or the ninth business day if mailed from outside the states of Washington, Oregon, and Idaho. If the utility delivers the notice to the customer in person, the deposit or additional deposit amount is due and payable not earlier than 5:00 p.m. of the sixth business day from the date of delivery.

(9) **Interest on deposits.** Utilities that collect customer deposits must pay interest on those deposits calculated:

(a) For each calendar year, at the rate for the one-year Treasury Constant Maturity calculated by the U.S. Treasury, as published in the Federal Reserve's Statistical Release H.15 on January 15 of that year. If January 15 falls on a nonbusiness day, the utility will use the rate posted on the next following business day; and

(b) From the date of deposit to the date of refund or when applied directly to the customer's account.

(10) **When refund of deposits is required.** A utility must apply deposits plus accrued interest to the customer's account, or refund deposits plus accrued interest when there has been satisfactory payment, as defined in (a) of this subsection, or when service is terminated.

(a) "Satisfactory payment" means a customer has paid for service for twelve consecutive months in a prompt and satisfactory manner as evidenced by the following:

(i) The utility has not started a disconnection process against the customer; and

(ii) The utility has sent no more than two delinquency notices to the customer.

(b) Termination of service. When service is terminated, the utility must return to the customer the deposit amount plus accrued interest, less any amounts due the utility by the customer.

(11) **How deposits are refunded.** A utility must refund any deposit plus accrued interest as indicated by the customer at the time of deposit, or as modified by the customer on a later date, using one of the following methods:

(a) A check issued and mailed to the customer no later than fifteen days following completion of twelve months of satisfactory payment, as described above; or

(b) A credit applied to the customer's account for service beginning in the thirteenth month.

[Statutory Authority: RCW 80.01.040, 80.04.160, and 81.04.160. WSR 02-21-066 (Docket No. A-020405, General Order No. R-504), § 480-90-113, filed 10/16/02, effective 1/1/03. Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), § 480-90-113, filed 5/3/01, effective 6/3/01.]

WAC 480-90-118 Nonresidential services deposit requirements. (1) **Deposit criteria for nonresidential customers.** A utility may require an applicant for nonresidential service to demonstrate that the applicant is a satisfactory credit risk by reasonable means appropriate under the circumstances.

(2) **Deposit amount.** Deposits required for a customer or location must not exceed:

(a) Two-twelfths of the estimated annual billings for utilities billing monthly; or

(b) Three-twelfths of estimated annual billings for utilities billing bimonthly.

(3) **Transfer of deposit.** When a customer moves to a new address within the utility's service territory, the deposit plus accrued interest, less any outstanding balance owing from the old address, must be transferred to the new address or refunded.

(4) **Additional deposit.** If a deposit or additional deposit amount is required after the service is established, the reasons must be specified to the customer in writing. Any request for a deposit or additional deposit amount must comply with the standards outlined in subsection (1) of this section. If the original deposit was secured by a guarantor and the guarantor does not agree to be responsible for the additional deposit amount, the customer will be held responsible for paying the additional deposit.

(5) **Deposit payment date.** Any deposit or additional deposit amount required after service is established is due and payable not earlier than 5:00 p.m. of the sixth business day after notice if the deposit requirement notice is mailed from within the states of Washington, Oregon, or Idaho, or the ninth business day if mailed from outside the states of Washington, Oregon, and Idaho. If the utility delivers the notice to the customer in person, the deposit or additional deposit amount is due and payable not earlier than 5:00 p.m. of the sixth business day from the date of delivery.

(6) **Interest on deposits.** Utilities that collect customer deposits must pay interest on those deposits calculated:

(a) For each calendar year, at the rate for the one-year Treasury Constant Maturity calculated by the U.S. Treasury, as published in the Federal Reserve's Statistical Release H.15 on January 15 of that year. If January 15 falls on a nonbusiness day, the utility will use the rate posted on the next following business day; and

(b) From the date of deposit to the date of refund or when applied directly to the customer's account.

[Ch. 480-90 WAC p. 8]

(7) **When refund of deposits is required.** A utility must apply deposits plus accrued interest to the customer's account, or refund deposits plus accrued interest when there has been satisfactory payment, as defined in (a) of this subsection, or when service is terminated.

(a) "Satisfactory payment" means a customer has paid for service for twelve consecutive months in a prompt and satisfactory manner as evidenced by the following:

(i) The utility has not started a disconnection process against the customer; and

(ii) The utility has sent no more than two delinquency notices to the customer.

(b) **Termination of service.** When service is terminated, the utility must return to the customer the deposit amount plus accrued interest, less any amounts due the utility by the customer.

[Statutory Authority: RCW 80.01.040, 80.04.160, and 81.04.160. WSR 02-21-066 (Docket No. A-020405, General Order No. R-504), § 480-90-118, filed 10/16/02, effective 1/1/03. Statutory Authority: RCW 80.10.040 and 80.04.160. WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), § 480-90-118, filed 5/3/01, effective 6/3/01.]

WAC 480-90-123 Refusal of service. (1) A gas utility may refuse to provide new or additional service if:

(a) Providing service does not comply with government regulations or accepted natural gas industry standards;

(b) In the utility's reasonable judgment, the applicant's or customer's installation of piping or gas burning equipment is considered hazardous or of such a nature that safe and satisfactory service cannot be provided;

(c) The applicant or customer does not comply with the utility's request that the applicant or customer provide and install protective devices, when the utility, in its reasonable judgment deems such protective devices are necessary to protect the utility's or other customers' properties from theft or damage;

(d) After reasonable efforts by the responsible party, all necessary rights of way, easements, approvals, and permits have not been secured; or

(e) The customer is known by the utility to have tampered with or stolen the utility's property, used service through an illegal connection, or fraudulently obtained service and the utility has complied with WAC 480-90-128(2), disconnection of service.

(2) A gas utility may not refuse to provide new or additional service to a residential applicant or residential customer who has a prior obligation. A prior obligation is the dollar amount, excluding deposit amounts owed, the utility has billed to the customer and for which the utility has not received payment at the time the service has been disconnected for nonpayment. The utility must provide service once the customer or applicant has paid all appropriate deposit and reconnection fees. This subsection does not apply to customers that have been disconnected for failure to honor the terms of a winter low-income payment program.

(3) The utility may not refuse to provide service to an applicant or customer because there are outstanding amounts due from a prior customer at the same premises, unless the utility can determine, based on objective evidence, that a fraudulent act is being committed, such that the applicant or

(6/19/18)

customer is acting in cooperation with the prior customer with the intent to avoid payment.

(4) The utility may refuse to provide new or additional service for reasons not expressed in subsection (1) of this section, upon prior approval of the commission. The commission may grant the request upon determining that the utility has no obligation to provide the requested service under RCW 80.28.110. Prior to seeking commission approval, the utility must work with the applicant or customer requesting service to seek resolution of the issues involved.

(5) Any applicant or customer who has been refused new or additional service may file with the commission an informal complaint under WAC 480-07-910, Informal complaints; or a formal complaint under WAC 480-07-370, Pleadings—General.

[Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 03-24-028 (General Order R-510, Docket No. A-010648), § 480-90-123, filed 11/24/03, effective 1/1/04; WSR 01-24-077 (General Order No. R-496, Docket No. UG-990294), § 480-90-123, filed 12/3/01, effective 1/3/02.]

WAC 480-90-128 Disconnection of service. (1) Customer-directed. The utility may require customers to give at least three days' notice prior to the date service is to be discontinued. The customer is not responsible for usage after the requested date for discontinuance of service, provided the customer gave proper notice. If the customer moves from the service address and fails to request that service be discontinued, the customer will be responsible to pay for service taken at that service address until the utility can confirm either that the customer has vacated the premises and can access the meter or that a new responsible party is taking service.

(2) Utility-directed without notice or without further notice. The utility may discontinue service without notice or without further notice when:

(a) After conducting a thorough investigation the utility determines that the customer has tampered with or stolen the utility's property, has used service through an illegal connection, or has fraudulently obtained service. The utility has the burden of proving that fraud occurred. For the purpose of this section, a nonsufficient funds check or dishonored electronic payment alone will not be considered fraud.

(i) First offense. The utility may disconnect service without notice when it discovers theft, tampering, or fraud, unless the customer immediately pays all of the following:

(A) The tariffed rate for service that the utility estimates was used as a result of the theft, tampering, or fraud;

(B) All utility costs resulting from such theft, tampering, or fraud; and

(C) Any required deposit.

(ii) Second offense. The utility may disconnect service without notice when it discovers further theft, tampering, or fraud. The utility may refuse to reconnect service to a customer who has been twice disconnected for theft, tampering, or fraud, subject to appeal to the commission.

(b) After conducting a thorough investigation, the utility determines that the customer has vacated the premises;

(c) The utility identifies a hazardous condition in the customer's facilities or in the utility's facilities serving the customer;

(d) A customer pays a delinquent account with a check or electronic payment the bank or other financial institution

has dishonored after the utility has issued appropriate notice as described in subsection (6) of this section;

(e) The customer has not kept any agreed-upon payment arrangement for payment of a delinquent balance after the utility has issued appropriate notice as described in subsection (6) of this section; or

(f) The utility has determined a customer has used service prior to applying for service. The utility must charge the customer for service used in accordance with the utility's filed tariff. This section should not be interpreted as relieving the customer or other person of civil or criminal responsibility;

(3) Utility-directed with notice. After properly notifying the customer, as explained in subsection (6) of this section, the utility may discontinue service for any one of the following conditions:

(a) For delinquent charges associated with regulated gas service (or, for regulated gas and regulated electric service if the utility provides both services), including any required deposit. However, the utility cannot disconnect service when the customer has met the requirements of subsection (5) of this section for medical emergencies or has agreed to or maintains agreed-upon payment arrangements with the utility, as described in WAC 480-90-143, Winter low-income payment program;

(b) For use of gas for purposes or properties other than those specified in the customer's service application;

(c) Under flat-rate service for nonmetered load, for increased natural gas use without the utility's approval;

(d) For refusing to allow utility representatives access to the customer's premises as required in WAC 480-90-168, Access to premises; identification;

(e) For violating rules, service agreements, or filed tariff(s); or

(f) For use of equipment that detrimentally affects the utility's service to its other customers.

(4) Gas service may not be disconnected for amounts that may be owed the utility for nonregulated services.

(5) Medical emergencies. When the utility has cause to disconnect or has disconnected a residential service, it must postpone disconnection of service or must reinstate service for a grace period of five business days after receiving either verbal or written notification of the existence of a medical emergency. The utility must reinstate service during the same business day if the customer contacts the utility prior to the close of the business day and requests a same-day reconnection. Otherwise, the utility must restore service by 12:00 p.m. the next business day. When service is reinstated the utility will not require payment of a reconnection charge and/or deposit prior to reinstating service but must bill all such charges on the customer's next regular bill or on a separate invoice.

(a) The utility may require that the customer, within five business days, submit written certification from a qualified medical professional stating that the disconnection of gas service would aggravate an existing medical condition of a resident of the household. "Qualified medical professional" means a licensed physician, nurse practitioner, or physician's assistant authorized to diagnose and treat the medical condition without supervision of a physician. Nothing in this section precludes a utility from accepting other forms of certifi-

cation, but the maximum the utility can require is written certification. If the utility requires written certification, it may not require more than the following information:

- (i) Residence location;
 - (ii) An explanation of how the current medical condition will be aggravated by disconnection of service;
 - (iii) A statement of how long the condition is expected to last; and
 - (iv) The title, signature, and telephone number of the person certifying the condition;
- (b) The medical certification is valid only for the length of time the health endangerment is certified to exist but no longer than sixty days, unless renewed;
- (c) A medical emergency does not excuse a customer from having to pay delinquent and ongoing charges. The utility may require the customer to do the following within a five-business-day grace period:
- (i) Pay a minimum of ten percent of the delinquent balance;
 - (ii) Enter into an agreement to pay the remaining delinquent balance within one hundred twenty days; and
 - (iii) Agree to pay subsequent bills when due.

Nothing in this section precludes the utility from agreeing to an alternate payment plan, but the utility may not require the customer to pay more than this subsection prescribes. The utility must send a notice to the customer confirming the payment arrangements within two business days of having reached the agreement;

(d) If the customer fails to provide an acceptable medical certificate or ten percent of the delinquent balance within the five-business-day grace period, or if the customer fails to abide by the terms of the payment agreement, the utility may not disconnect service without first mailing a written notice providing a disconnection date not earlier than 5:00 p.m. of the third business day after the date of mailing if mailed from within the states of Washington, Oregon, or Idaho, or the sixth business day if mailed from outside the states of Washington, Oregon, and Idaho, or by personally delivering a notice providing a disconnection date of not earlier than 5:00 p.m. of the second business day following the date of delivery;

(e) A customer may claim medical emergency and be entitled to the benefits described in this subsection only twice within any one hundred twenty-day period.

(6) **Disconnection notification requirements.** The utility must notify customers before disconnecting their service, except as described in subsection (2) of this section. Notification consists of the following requirements:

(a) The utility must serve a written disconnection notice to the customer either by mail or by personal delivery to the customer's address with notice attached to the primary door. If the disconnection notice is for nonpayment during the winter months, the utility must advise the customer of the payment plan described in WAC 480-90-138, Payment arrangements, and WAC 480-90-143, Winter low-income payment program. Each disconnection notice must include:

(i) A disconnection date that is not less than eight business days after the date of personal delivery or mailing if mailed from inside the states of Washington, Oregon, or Idaho, or a disconnection date that is not less than eleven

business days if mailed from outside the states of Washington, Oregon, and Idaho.

(ii) All relevant information about the disconnection action including the cause for disconnection, the amount owed for regulated natural gas service and, if applicable, regulated electric service; and how to avoid disconnection;

(iii) All relevant information about any charges that may be assessed; and

(iv) The utility's name, address, and toll-free telephone number by which a customer may contact the utility to discuss the pending disconnection of service;

(b) If the utility discovers the notice information in (a) of this subsection is inaccurate, the utility must issue another notice to the customer as described in (a) of this subsection;

(c) If the utility has not disconnected service within ten business days of the disconnection date stated in (a)(i) of this subsection, the disconnection notice will be considered void unless the customer and the utility have agreed to a payment arrangement. Upon a void notice, the utility must provide a new disconnection notice to the customer as described in (a) of this subsection;

(d) In addition to the notice required by (a) of this subsection, a second notice must be provided by one of the three options listed below:

(i) **Delivered notice.** The utility must deliver a second notice to the service premises and attach it to the customer's primary door. The notice must state a scheduled disconnection date that is not earlier than 5:00 p.m. of the second business day after the date of delivery;

(ii) **Mailed notice.** The utility must mail a second notice which must include a scheduled disconnection date that is not earlier than 5:00 p.m. of the third business day after the date of mailing if mailed from within the states of Washington, Oregon, or Idaho, or the sixth business day if mailed from outside the states of Washington, Oregon, or Idaho.

(iii) **Telephone notice.** The utility must attempt at least two times to contact the customer during regular business hours. A log or record of the calls must be kept for a minimum of ninety calendar days showing the telephone number called, the time of the call, and details of the results of each attempted call. If the utility is unable to reach the customer by telephone, a written notice must be mailed to the customer providing a disconnection date not earlier than 5:00 p.m. of the third business day after the date of mailing if mailed from within the states of Washington, Oregon, or Idaho, or the sixth business day if mailed from outside the states of Washington, Oregon, and Idaho, or written notice must be personally delivered providing a disconnection date of not earlier than 5:00 p.m. of the second business day following the date of delivery.

For utilities billing for electric and gas service, each type of notice listed above must provide the information contained in (a)(iii) of this subsection;

(e) If the utility discovers that the written notice information required under the options in (d) of this subsection is inaccurate, the utility must issue another notice to the customer as described in (a) of this subsection;

(f) If the utility provides a second notice within ten business days of the disconnection date stated in (a)(i) of this subsection, the disconnection date is extended an additional ten working days from the disconnection date of the second

notice. If the utility does not disconnect service within the extended ten-business-day period, the notice will be considered void unless the customer and the utility have agreed upon a payment arrangement. Upon a void notice, the utility must provide an additional notice as required in (d) of this subsection.

(g) If the utility provides a second notice after the ten business days of the disconnection date required by (a)(i) of this subsection, the notice will be considered void unless the customer and the utility have agreed upon a payment arrangement. Upon a void notice, the utility must provide a new disconnection notice to the customer as described in (a) of this subsection;

(h) Utilities with combined accounts for both natural gas and electric service will have the option of choosing which service will be disconnected;

(i) When the service address is different from the billing address, the utility must determine if the customer of record and the service user are the same party. If not, the utility must notice the service user as described in (a) of this subsection prior to disconnecting service;

(j) Except in case of danger to life or property, the utility may not disconnect service on Saturdays, Sundays, legal holidays, or on any other day on which the utility cannot reestablish service on the same or following day;

(k) A utility representative dispatched to disconnect service must accept payment of a delinquent account at the service address, but will not be required to give change for cash paid in excess of the amount due and owing. The utility must credit any overpayment to the customer's account. The utility may charge a fee for the disconnection visit to the service address if provided for in the utility's tariff;

(l) When service is provided through a master meter, or when the utility has reasonable grounds to believe service is to other than the customer of record, the utility must undertake reasonable efforts to inform the occupants of the service address of the impending disconnection. Upon request of one or more service users, where service is to other than the customer of record, the utility must allow five days past the original disconnection date to permit the service users to arrange for continued service;

(m) Medical facilities. When service is known to be provided to:

(i) A hospital, medical clinic, ambulatory surgery center, renal dialysis facility, chemical dependency residential treatment facility, or other medical care facility licensed or certified by the department of health, a notice of pending disconnection must be provided to the secretary of the department of health and to the customer. The department of health secretary or designee may request to delay the disconnection for five business days past the original disconnection date to allow the department to take the necessary steps to protect the interests of the patients residing at the facility; or

(ii) A nursing home, boarding home, adult family home, group care facility, intermediate care facility for the mentally retarded (ICF/MR), intensive tenant support residential property, chemical dependency residential treatment facility, crisis residential center for children, or other group home or residential care facility licensed or certified by the department of social and health services, a notice of pending disconnection must be provided to the secretary of the department of social

and health services and to the customer. The department of social and health services secretary or designee may request to delay the disconnection for five business days past the original disconnection date to allow the department to take the necessary steps to protect the interests of the patients residing at the facility;

(n) Any customer may designate a third party to receive a disconnection notice or notice of other matters affecting the customer's service. The utility must offer all customers the opportunity to make such a designation. If the utility believes that a customer is not able to understand the effect of the disconnection, the utility must consider a social agency to be a third party. In either case, the utility must delay service disconnection for five business days past the original disconnection date after issuing a disconnection notice to the third party. The utility must determine which social agencies are appropriate and willing to receive the disconnection notice, the name and/or title of the person able to deal with the disconnection, and provide that information to the customer.

(7) For purposes of this section, the date of mailing a notice will not be considered the first day of the notice period.

(8) **Payments at a payment agency.** Payment of any past-due amounts to a designated payment agency of the utility constitutes payment when the customer informs the utility of the payment and the utility has verified the payment.

(9) **Remedy and appeals.** Service may not be disconnected while the customer is pursuing any remedy or appeal provided by these rules or while engaged in discussions with the utility's representatives or with the commission. Any amounts not in dispute must be paid when due and any conditions posing a danger to health, safety, or property must be corrected. The utility will inform the customer of these provisions when the customer is referred to a utility's supervisor or to the commission.

[Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), § 480-90-128, filed 5/3/01, effective 6/3/01.]

WAC 480-90-133 Reconnecting service after disconnection. (1) A gas utility must make every reasonable effort to restore a disconnected service within twenty-four hours, or other time mutually agreeable between the customer and the utility, after the customer has paid, or at the time the utility has agreed to bill, any reconnection charge, and:

(a) The causes for disconnection not related to a delinquent account are removed and the customer pays any delinquent regulated charges, plus any required deposit; or

(b) The customer has entered into an agreed-upon payment arrangement for a delinquent account, and pays any required deposit as defined in WAC 480-90-113, Residential service deposit requirement, or WAC 480-90-118, Nonresidential service deposit requirements; or

(c) The customer has paid all regulated amounts due on the account that is not a prior obligation and the customer has paid any required deposit as defined in WAC 480-90-113, Residential service deposit requirements, or WAC 480-90-118, Nonresidential service deposit requirements.

(2) The commission may require reconnection pending resolution of a bona fide dispute between the utility and the customer over the propriety of disconnection.

[Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), § 480-90-133, filed 5/3/01, effective 6/3/01.]

WAC 480-90-138 Payment arrangements. (1) If a gas utility is delayed in billing a residential customer, the utility must offer payment arrangements that are equal to the length of time the bill was delayed, unless the utility determines that the customer used service prior to applying for service as outlined in WAC 480-90-128 (2)(f), Disconnection of service.

(2) The utility must offer all residential customers the option of an equal-payments plan.

(a) An equal-payments plan allows the customer to pay the same amount each month based on historical usage. If historical information is not available, the utility must base the amount on projected usage;

(b) The utility may refuse to offer an equal-payments plan to customers who have been removed from the equal-payments plan for nonpayment within the past six months or have more than a two-month past-due balance on their current account. However, the utility may offer an equal-payments plan to any customer when the utility believes this would be in the best interest of all parties concerned.

(3) The utility must provide a receipt to customers for all payments made in cash.

[Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), § 480-90-138, filed 5/3/01, effective 6/3/01.]

WAC 480-90-143 Winter low-income payment program. (1) During the winter months, between November 15th and March 15th, a gas utility may not discontinue residential space heating service if the customer does all of the following:

(a) Notifies the utility of the inability to pay the bill and any required deposit. This notice should be provided within five business days of receiving a delinquency notice unless there are extenuating circumstances. If the customer does not notify the utility within five business days and service is disconnected, the customer can receive the protections of this chapter by paying reconnection charges, if any, and by otherwise fulfilling the requirements of this section;

(b) Provides self-certification of household income for the prior twelve months to a grantee of the department of community, trade, and economic development, or its successor. For the purposes of this section, the grantee is a contractor operating low-income energy assistance programs for the department of community, trade, and economic development. The grantee will determine that the household income is not higher than the maximum allowed for eligibility under the state's plan for low-income energy assistance. The grantee will, within thirty days, provide a dollar figure to the utility that is seven percent of the household income. For the purposes of this section, household income is defined as the total income of all household members as determined by the grantee. The grantee may verify information provided in the self-certification;

(c) Applies for home energy assistance from appropriate government and/or private sector organizations and certifies that any assistance received will be applied to the customer's current and future utility bills;

(d) Applies to the utility or other appropriate agencies for low-income weatherization assistance if such assistance is available for the dwelling;

(e) Agrees and abides by that agreement to:

(i) Pay by the following October 15th all amounts owed to the utility and pay for continued service; and

(ii) Pay a monthly payment during the winter period. The utility may not require payment of more than seven percent of the customer's monthly income. In addition, the customer must pay one-twelfth of any billings from the date application is made through March 15th. A customer may agree to pay a higher percentage of income during this period, but the customer's account will not be considered past-due unless payment during this period is less than seven percent of the monthly income plus one-twelfth of any past-due amounts accrued from the date application is made and thereafter. If the customer does not pay the past-due bill by the following October 15th, the customer will not be eligible for protections under this section until the past-due bill is paid;

(f) Notifies and provides documentation to the utility, if requested, that the customer has received any home heating assistance payment from government and/or private sector organizations after being approved for the plan. When the utility receives this information it must recalculate the payments for the customer; and

(g) Pay all amounts owed even if the customer moves.

(2) The utility:

(a) Must help the customer to fulfill the requirements under this section;

(b) Must transfer an account to a new residence when a customer who has established a plan under this section moves from one residence to another within the utility's service area;

(c) May disconnect service in accordance with WAC 480-90-128, Disconnection of service, if the customer has not kept the payment arrangements as described in subsection (1) of this section. The utility must also include in the customer's disconnection notice:

(i) A description of the customer's duties outlined in subsection (1) of this section; and

(ii) An explanation that the utility will restore service if the customer contacts the utility and satisfies the other requirements of this section;

(d) May disconnect service for practices authorized by law other than for nonpayment as stated in this section;

(e) Must allow customers who qualified under subsection (1) of this section and who default on their payment plan and are disconnected in accordance with WAC 480-90-128, Disconnection of service, to reconnect and maintain the protection afforded under this chapter when the customer:

(i) Pays any reconnection charges; and

(ii) Pays all amounts that would have been due and owing on the date that service is reconnected; and

(f) Must provide a written copy of the extended payment plan to the customer.

(3) Any customer who has a past-due amount owing under this payment plan will not be eligible to reapply for a new extended payment plan unless authorized by the utility.

[Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), § 480-90-143, filed 5/3/01, effective 6/3/01.]

WAC 480-90-148 Service responsibility. (1) **Customer responsibility.** The customer must notify the gas utility, in writing, prior to all changes to the customer's equipment or usage that will materially affect the service to be rendered. The customer must give such notice within a reasonable time so the utility can provide the necessary facilities and acquire additional gas supplies, if needed. The charge for such necessary facilities, if any, must be in accordance with the utility's filed tariff.

(2) **Gas utility responsibilities.**

(a) Each gas utility must install and maintain monitoring equipment at appropriate locations within its system in order to determine the operating characteristics of the system. The commission may require the utility to provide additional equipment in connection with performing special investigations, if economically feasible;

(b) Each gas utility must promptly notify all affected customers of any substantial change to the system that would affect the efficiency of operation or the adjustment of the customer equipment. If an adjustment to the customer's equipment is necessary, the cost may be recovered in accordance with the utility's tariff, except that, when the customer has been notified of a change in service prior to receiving service, or when the change is required by law, the customer must bear all costs in connection with making such changes;

(c) Each gas utility must adopt and maintain as constant as practical a standard pressure of gas measured at the outlet of any customer's meter, and/or regulator in cases of a high pressure system. The standard pressure adopted must be filed with the commission as part of the gas utility's schedule of rates, rules, and regulations. Pressures other than standard may be furnished to a customer upon mutual agreement between the utility and customer, and provided that such pressure can be maintained without adversely affecting the service being provided to other customers on the system; and

(d) Each gas utility must maintain its gas system in a condition that enables it to furnish safe, adequate, and efficient service.

(3) **Interruption of service.** The term "interruptions" as used in this rule refers to the temporary discontinuance of gas flow to any customer(s) due to accident, required repairs or replacement, or to the actions of municipal or other agencies. It does not refer to the discontinuance of gas flow to those customers receiving service under an interruptible service schedule. The gas utility must make all reasonable efforts to avoid interruption of service and, if an interruption occurs, must endeavor to reestablish service with the shortest possible delay. When it is necessary for a utility to make repairs or to change its facilities, the utility may, without incurring any liability, suspend service for such periods as may be reasonably necessary and in such a manner as to minimize the inconvenience to customers.

The gas utility must notify all customers affected by a scheduled interruption through newspapers, radio announcements, or by other means, at least one day in advance of the scheduled interruption.

The utility must individually notify police and fire departments affected by an interruption of service.

(4) **Record of interruptions.** Each gas utility must keep a record of all interruptions of service affecting twenty-five or more customers, including in such record the location, the

date and time, the duration, and, as accurately as possible, the cause of each interruption. Utilities must submit copies of such records to the commission upon request.

[Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), § 480-90-148, filed 5/3/01, effective 6/3/01.]

WAC 480-90-153 Disclosure of private information.

(1) A gas utility may not disclose or sell private consumer information with or to its affiliates, subsidiaries, or any other third party for the purposes of marketing services or product offerings to a customer who does not already subscribe to that service or product, unless the utility has first obtained the customer's written or electronic permission to do so.

(2) Private consumer information includes the customer's name, address, telephone number, and any other personally identifying information, as well as information related to the quantity, technical configuration, type, destination, and amount of use of service or products subscribed to by a customer of a regulated utility that is available to the utility solely by virtue of the customer-utility relationship.

(3) The utility must obtain a customer's prior permission for each instance of disclosure or sale of his or her private customer information to an affiliate, subsidiary or other third party for purposes of marketing services or products that the customer does not already subscribe to and maintain a record of each instance of permission for disclosing his or her private customer information.

(4) The utility will retain the following information for each instance of a customer consent for disclosure of his or her private customer information if provided electronically:

(a) The confirmation of consent for the disclosure of private customer information;

(b) A list of the date of the consent and the affiliates, subsidiaries, or third parties to which the customer has authorized disclosure of his or her private customer information; and

(c) A confirmation that the name, service address, and account number exactly matches the utility record for such account.

(5) This section does not prevent disclosure of the essential terms and conditions of special contracts as provided for in WAC 480-80-143 (Special contracts for gas, electric, and water companies).

(6) This section does not prevent the utility from inserting any marketing information into the customer's billing package.

(7) The utility may collect and release customer information in aggregate form if the aggregated information does not allow any specific customer to be identified.

[Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 11-06-032 (Docket U-100523, General Order R-563), § 480-90-153, filed 2/25/11, effective 3/28/11. Statutory Authority: RCW 80.01.040, 80.04.160, 81.04.160, and 34.05.353. WSR 03-22-046 (Docket No. A-030832, General Order No. R-509), § 480-90-153, filed 10/29/03, effective 11/29/03. Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 01-20-059 (Docket No. UG-990294, General Order No. R-488), § 480-90-153, filed 9/28/01, effective 10/29/01.]

WAC 480-90-158 Service connections. (1) The gas utility must furnish, install, and maintain piping and other fittings to the customer's piping up to the point of delivery. The

point of delivery is at the outlet of the meter or at the connection to a customer's piping, whichever is farther downstream.

(2) The customer may be required to pay for or install any service connection such as pipes and fittings in compliance with the gas utility's standards and filed tariff(s). The service piping and fittings up to the point of delivery will become the property of the utility, which must accept all responsibility for future maintenance and operations in accordance with its filed tariffs.

[Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), § 480-90-158, filed 5/3/01, effective 6/3/01.]

WAC 480-90-163 Service entrance facilities. A gas utility may require customers to:

(1) Provide service entrance facilities at the easiest access point to the utility's distribution system; and

(2) To comply with reasonable requirements to keep those facilities free from tampering or interference.

[Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), § 480-90-163, filed 5/3/01, effective 6/3/01.]

WAC 480-90-168 Access to premises; identification.

(1) Authorized representatives of a gas utility have the right to enter a customer's property during reasonable hours to perform necessary functions such as meter reading, maintenance, repairs, testing, installation, or removal of the utility's property. Utilities must provide photo identification to utility representatives who are authorized to enter customers' premises. Customers have the right to see the utility-provided identification of gas utility representatives before allowing entry to the customer's property.

(2) When performing maintenance, repairs, testing, installation, or removal of the utility's property, the utility must restore the customer's property as close as reasonably practicable to the condition prior to the utility's action, unless otherwise defined in the utility's tariff or through a separate agreement with the customer.

[Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), § 480-90-168, filed 5/3/01, effective 6/3/01.]

WAC 480-90-173 Gas utility's responsibility for complaints and disputes. (1) When a gas utility receives a complaint from a customer or an applicant for service, the utility must acknowledge receipt of the complaint and:

(a) Upon request, identify the utility's contact to the complainant;

(b) Investigate the complaint promptly as required by the particular case;

(c) Report the results of the investigation to the complainant;

(d) Take corrective action, if warranted, as soon as possible under the circumstances;

(e) If the complainant is dissatisfied with the results or decision, inform the complainant that the decision may be appealed to a supervisor at the utility; and

(f) If the complainant is dissatisfied after speaking with the utility's supervisor, the supervisor must inform the complainant of the complainant's right to file a complaint with the

commission and provide the commission's address and toll-free telephone number.

(2) Applicants, customers, or their representatives may file with the commission:

(a) An informal complaint as described in WAC 480-07-910, Informal complaints; or

(b) A formal complaint against the utility as described in WAC 480-07-370, Pleadings—General.

(3) When the commission refers an informal complaint to the utility, the utility must:

(a) Investigate and report the results to the commission within two business days. The commission may grant an extension of time for responding to the complaint, if requested and warranted;

(b) Keep the commission informed of progress toward the solution and the final result; and

(c) Respond to the commission's request for additional informal complaint information within three business days of the request or at a date specified by the commission. The commission may grant an extension of time for responding to the complaint, if requested and warranted.

(4) Each gas utility must keep a record of all complaints for at least three years and, upon request, make them readily available for commission review. The record must contain:

(a) The complainant's name and address;

(b) The date and nature of the complaint;

(c) The action taken;

(d) The final result; and

(e) All official documents regarding the complaint.

[Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 03-24-028 (General Order R-510, Docket No. A-010648), § 480-90-173, filed 11/24/03, effective 1/1/04; WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), § 480-90-173, filed 5/3/01, effective 6/3/01.]

WAC 480-90-178 Billing requirements and payment date. (1) Customer bills must:

(a) Be issued at intervals not to exceed two one-month billing cycles, unless the utility can show good cause for delaying the issuance of the bill. The utility must be able to show good cause if requested by the commission;

(b) Show the total amount due and payable;

(c) Show the date the bill becomes delinquent if not paid;

(d) Show the utility's business address, business hours, and toll-free telephone number and emergency telephone number by which a customer may contact the utility;

(e) Show the current and previous meter readings, the current read date, and the total amount of therms used;

(f) Show the amount of therms used for each billing rate, the applicable billing rates per therm, the basic charge or minimum bill;

(g) Show the amount of any municipal tax surcharges or their respective percentage rates;

(h) Clearly identify when a bill has been prorated. A prorated bill must be issued when service is provided for a fraction of the billing period. Unless otherwise specified in the utility's tariff, the charge must be prorated in the following manner:

(i) Flat-rate service must be prorated on the basis of the proportionate part of the period that service was rendered;

(ii) Metered service must be billed for the amount metered. The basic or minimum charge must be billed in full;

(i) Clearly identify when a bill is based on an estimation.

(i) A utility must detail its method(s) for estimating customer bills in its tariff;

(ii) The utility may not estimate for more than four consecutive months unless the cause of the estimation is inclement weather, terrain, or a previous arrangement with the customer; and

(j) Clearly identify determination of maximum demand. A utility providing service to any customer on a demand basis must detail in its filed tariff the method of applying charges and of ascertaining the demand.

(2) The minimum time allowed for payment after the bill's mailing date must be fifteen days, if mailed from within the states of Washington, Oregon, or Idaho, or eighteen days if mailed from outside the states of Washington, Oregon, and Idaho.

(3) The utility must allow a customer to change a designated payment-due date when the customer has a satisfactory reason for the change. A satisfactory reason may include, but is not limited to, adjustment of a designated payment-due date to parallel receipt of income. The preferred payment date must be prior to the next billing date.

(4) With the consent of the customer, a utility may provide billings in electronic form if the bill meets all the requirements for the use of electronic information in this chapter. The utility must maintain a record of the consent as a part of the customer's account record, and the customer may change from electronic to printed billing upon request, as provided in this chapter. The utility must complete the change within two billing cycles of the request.

(5) Corrected bills:

(a) A utility must issue a corrected bill upon finding that an underbilling or overbilling occurred as a result of a meter failure, meter malfunction, meter with unassigned energy usage, or any other situation where energy usage was not billed or was inaccurately billed. The utility must use the rates and rate schedule in effect during the billing period(s) covered by the corrected bill. The utility must issue the corrected bill within sixty days from the date the utility discovered that an account had been underbilled or overbilled. Except as provided in subsection (7) of this section, when a utility's investigation finds that it has underbilled energy usage, it may not collect underbilled amounts for any period greater than six months from the date the error occurred. The maximum period for which utilities are required to adjust bills for overbilling is six years.

(b) For the purposes of this rule:

(i) A meter failure or malfunction is defined as: A mechanical malfunction or failure that prevents the meter or any ancillary data collection or transmission device from registering or transmitting the actual amount of energy used. A meter failure or malfunction includes, but is not limited to, a stopped meter, a meter that is faster or slower than the metering tolerance specified in WAC 480-90-338, or an erratic meter.

(ii) An unassigned energy usage meter is defined as a meter that is installed at a valid service address and accurately records energy usage during a period of time where there was no active gas service account at that premises.

(c) A utility must develop and maintain procedures that establish practices for the prompt identification, repair and

replacement of meters that are not functioning correctly and for identification of unassigned usage meters. The objective of such procedures shall be to mitigate the number of under-billing occurrences that exceed six months in duration. These procedures must address, at a minimum:

(i) Practices to prevent the issuance of corrected bills due to incorrect prorated bills, improperly assigned meters, incorrectly installed meters, incorrect billing rate schedules, incorrect billing multipliers, or any other event that may affect billing accuracy.

(ii) Processes for the investigation of meter issues include, but are not limited to, stopped, slowed, and erratic usage meters.

(iii) Processes for the investigation of meter usage from unidentified usage meters.

(6) For the purpose of this rule, a corrected bill may take the form of a newly issued bill or may be reflected as a line item adjustment on a subsequent monthly or bimonthly bill. When a corrected bill is issued, the utility must provide the following information on the corrected bill, in a bill insert, letter, or any combination of methods that clearly explains all the information required to be sent to the customer:

(a) The reason for the bill correction;

(b) A breakdown of the bill correction for each month included in the corrected bill;

(c) The total amount of the bill correction that is due and payable;

(d) The time period covered by the bill correction; and

(e) When issuing a corrected bill for underbilling, an explanation of the availability of payment arrangements in accordance with WAC 480-90-138(1) payment arrangements.

(7) Exceptions to billing correction rules:

(a) Corrected bills related to an underbilling due to tampering or interference with the utility's property, use of the utility's service through an illegal connection, or the fraudulent use of a utility's service, are exempt from the six-month restriction set forth in subsection (5)(a) of this section.

(b) Adjustments for underbilling of nonresidential customers will be limited to six months. However, the utility may extend this period for good cause if a longer period is appropriate due to circumstances such as the complexity of specific accounts, changing metering configurations, load changes of large industrial customers, special meter configuration involving current transformers, or wiring reconfigurations by the customer. Utilities must report to the commission within sixty days the reasons for any adjustments longer than six months.

(c) The utility may choose not to issue a corrected bill to recover underbilled amounts less than fifty dollars.

(8) An estimated meter read made in accordance with subsection (1)(i) of this section is not considered a meter failure or malfunction or a billing error. A bill true-up based on an actual meter reading after one or more estimated bills is not considered a corrected bill for purposes of subsection (5)(a) of this section.

[Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 16-06-038 (Docket U-144155, General Order R-586), § 480-90-178, filed 2/23/16, effective 3/25/16; WSR 11-06-032 (Docket U-100523, General Order R-563), § 480-90-178, filed 2/25/11, effective 3/28/11; WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), § 480-90-178, filed 5/3/01, effective 6/3/01.]

WAC 480-90-179 Electronic information. With the prior consent (as defined in subsection (2) of this section) of the customer or applicant, a utility may provide the following by electronic means, instead of in paper copy sent to the customer's mailing address:

- Bills;
- Notices of tariff revisions; and
- Bill inserts containing information required to be provided to customers or applicants by statute, rule, or commission order.

The provision of this electronic information to a customer will be considered compliant with any statute, rule, commission order, or tariff provision that refers to the mailing of bills, notices of tariff revisions or bill inserts when a customer has consented to receive the information in electronic form as agreed to by the customer. The electronic form must provide a link to the electronic information, or otherwise advise the customer of the electronic location of such information.

(1) **Format of electronic communications.** All information provided in electronic form must meet the requirements for format, due dates, calculation of due dates, minimum time frames, and any other requirements specified in this chapter. Electronic information will be treated the same as documents that are mailed from a location within the state of Washington for the purposes of calculating due dates and minimum time frames.

(2) **Obtaining and documenting customer consent.** The utility must obtain prior written or electronic consent to provide bills, notices of tariff revisions and bill inserts in electronic form (customer consent). The customer consent must be obtained directly from the customer of record and comply with the following:

(a) The consent section on the document, screen, or web page may also offer the customer separate, individual opportunities to consent to:

- (i) Paperless billing offered by the utility.
- (ii) Automatic payment services offered by the utility, including one-time payment services or other automatic payment services.
- (iii) Equal payment plan.

For electronic consent, the customer consent section must be prominent on the web page and clearly distinguishable from any other consent on the screen or page. No information other than as provided in this section, may be combined in the same customer consent section except utility contact information. The consent section must not have consent boxes or spaces already filled in. The customer must personally check each box or space giving his or her consent to one or more services. Each service requires a separate, affirmative consent.

(b) The utility must retain a record of the customer's consent to receive electronic communications as a part of the customer's account records as evidence of the customer's consent to receive selected documents in electronic form, or to participate in paperless billing service.

(c) Documentation of the customer consent must be made available to the customer and to the commission at no charge, if requested.

(d) At a minimum, the customer consent must include the following:

(i) The name, service address, and account number that exactly matches the utility record for such account;

(ii) The customer's opt-in decision to receive electronic information;

(iii) Confirmation that the customer understands the utility will provide, upon request but subject to the limitations in this section, a paper copy of any document sent electronically at no additional charge and that the customer may opt out of receiving information electronically at any time and revert to paper format through the mail at no additional charge;

(iv) Confirmation that the customer understands it is their responsibility to notify the utility of any change to their email or other electronic address; and

(v) Confirmation that the customer understands that in addition to the paperless bills they may receive all notices regarding service, including notices of the utility's request to increase rates and changes in service, in electronic form.

(3) Distribution of electronic notices.

(a) Electronic notices of proposed tariff changes, including increased rates or restriction of access to services, and public hearings will be marked prominently "IMPORTANT NOTICE REGARDING YOUR GAS SERVICE." (Note: For combined service customers the caption must read "ELECTRIC AND GAS SERVICES.")

(b) If the utility elects to send the notices of proposed tariff changes or public hearings separate from the bill, it will also include a copy of the electronic notice with the electronic bill as an attachment or link. The attachment or link will include the electronic address designated by the commission where customers may file public comment(s) regarding the proposed tariff changes or restriction of access to service.

(4) **Documents requiring paper delivery.** The following documents may not be provided solely by electronic means:

(a) Notices of disconnection; and

(b) Information regarding the winter moratorium on disconnection of low-income heating customers, including written copies, if any, of extended payment plans under the winter low-income payment program.

(5) **Limit on changes to information format.** A utility is not obligated to provide both paper documents and electronic information to a customer on a continuous basis. A utility may limit a customer who has consented to electronic delivery to three requests for paper documents in a twelve-month period. A utility may require that a customer who requests an electronic bill also receive all bill inserts electronically. If a customer is unable to properly receive, view or understand electronic information provided by the utility, the utility may refuse to provide that information in electronic form.

(6) **Specialized electronic format.** When a utility provides electronic billing information in a specialized format, such as, but not limited to, the electronic data interchange (EDI), where the utility incurs a cost that is offset by not sending statements using mail, the utility may offer customers the choice of the specialized format or paper bill. In the event of a disputed bill, the customer may request and the utility shall provide customers receiving bills in a specialized format with billing details understandable by a person who will be reviewing the bills.

(7) Undeliverable electronic information.

(a) If any electronic information allowed in this rule is returned to the utility as undeliverable or the utility is made aware by other means that such electronic information did not reach the customer, the utility must take the following steps to ascertain and correct the problem causing the return of the information as undeliverable. It must, within the time specified in (c) of this subsection, either resend the electronic information to the customer-provided electronic address or contact the customer by telephone.

(b) If the utility fails to correct the problem within the required time, it must send the customer the information by mail and return the customer to mail notification. It also must include in the mailed information an explanation that the email address or other electronic address is not functioning and indicate that future information will be sent via mail until the customer provides to the utility a functioning email or other functioning electronic address.

(c) The utility must take the steps required in (a) and (b) of this subsection by either:

(i) The business day following receipt of the undeliverable message; or

(ii) If the utility extends the bill due date by five business days, within five business days.

[Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 11-06-032 (Docket U-100523, General Order R-563), § 480-90-179, filed 2/25/11, effective 3/28/11.]

WAC 480-90-183 Complaint meter tests. (1) A gas utility must test and report to the customer the accuracy of a meter within twenty business days after receiving an initial request from a customer. The utility must allow the customer to order one meter test free of charge during a twelve-month period. The utility may appeal to the commission to waive the responsibility of performing the meter test, to request an extension to perform the meter test, or to be allowed to charge for the meter test. If the customer disputes the accuracy of the meter, the customer must allow the utility access for meter testing.

(2) The customer may, at the customer's option, either witness the meter test or designate a representative to witness the test. The customer may require the meter to be sealed upon removal in the presence of the customer or the customer's representative. The seal must not be broken until the test is made in the presence of the customer or the customer's representative, or until permission to break the seal has been granted by the commission. The utility must report the results of the meter test to the customer.

(3) A customer may request the utility to perform additional meter tests within twelve months of the last meter test, but additional meter tests will not delay disconnection of service under of WAC 480-90-128(9), Disconnection of service. The utility must immediately inform the customer of any additional meter test charges. If the customer elects to have the meter test performed, the utility must perform the test and report the test results to the customer within twenty business days. If the additional meter test results show the meter is performing accurately as defined in WAC 480-90-338, Metering tolerance, the utility may charge the customer for performing the additional meter tests. The charge of the meter test must be listed in the utility's tariff. The utility may not charge the

customer for any additional meter test that shows the meter is performing outside acceptable tolerance levels as defined in WAC 480-90-338, Metering tolerance.

(4) If the customer disputes any meter test result, the utility or the customer may contact the commission to review the complaint. When the commission has notified the utility that a complaint has been received regarding the customer's meter, the utility may not change the meter in any manner unless authorized by the commission. If the utility violates this provision, the commission may consider it as supporting the customer's dispute since the change might affect the proof of the dispute. The commission may require the utility to perform an additional test and report the test results to the commission within ten business days.

(5) If a meter test reveals a meter error greater than specified as acceptable in WAC 480-90-338, Metering tolerance, the utility must repair or replace the meter at no cost to the customer. The utility must adjust the bills to the customer based on the best information available to determine the appropriate charges. The utility must offer payment arrangements in accordance with WAC 480-90-138(2), Payment arrangements.

(a) If the utility can identify the date the customer was first billed from a defective meter, the utility must refund or bill the customer for the proper usage from that date;

(b) If the utility cannot identify the date the customer was first billed from a defective meter, the utility must refund or bill the customer for the proper usage, not to exceed six months.

(6) Reports. The commission may require the utility to provide meter test results to the commission in response to a customer's complaint. These reports must contain the name or address of the customer, the meter manufacturer's name, the manufacturer's and utility's meter number, the size or capacity of the meter, the date the meter was tested, the reading of the meter when tested, the accuracy of the meter as found, and the accuracy of the meter after adjustment.

[Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), § 480-90-183, filed 5/3/01, effective 6/3/01.]

WAC 480-90-188 Payment locations. (1) The gas utility must provide payment agencies in locally accessible locations where applicants and customers can make payments at no charge to the applicants and customers. Payment agencies must clearly post and maintain regular business hours.

(2) The utility and its payment agencies must provide receipts for any cash payments made by the applicants or customers.

(3) The utility must provide written or electronic notice to the commission's consumer affairs section at least thirty days prior to the closing of any business office, customer service center, or payment agency. In the event a payment agency is closed on less than thirty days' notice, written or electronic notification is required as soon as the utility becomes aware of the closure. At a minimum, the following information is required:

(a) The communities affected by the closing;

(b) The date of the closing;

(c) A listing of other methods and facility locations available for payment of cash or urgent payments; and

(d) A listing of other methods and locations for obtaining business office and customer service center services.

(4) The utility must include on its regularly scheduled bills a statement referring its customers to a toll-free number for updated payment agency locations.

[Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), § 480-90-188, filed 5/3/01, effective 6/3/01.]

WAC 480-90-193 Posting of tariffs for public inspection and review. Each gas utility offering service under tariff must make available for public inspection and review all tariffs governing its provision of service, as required by RCW 80.28.050. To comply with this requirement, a utility must fulfill the provisions of either subsection (1) or (2) of this section.

(1) **Web, telephone, and mail access.** The utility must:

(a) Maintain a complete copy of its tariff or tariffs and all proposed tariff changes on an internet web site accessible to the public using generally available browser software;

(b) Provide a toll-free telephone number by which customers and applicants can obtain assistance during normal business hours from a company agent qualified to assist the customer in locating, interpreting, and applying tariff provisions;

(c) Upon written or oral request by any customer or applicant, deliver at no charge a copy of any current, proposed or most recently canceled tariff page that relates to the customer's or applicant's service; and

(d) Include on each customer bill and notice the address of the tariff web site and the toll-free telephone number.

(2) **Physical access.** The utility must make available for public inspection and copying a complete copy of its tariff or tariffs, all most recently canceled tariff sheets, and all proposed tariff changes at one or more offices in each county where it offers service, except: A single office may serve more than one county if the office is within twenty miles of all customers in the county where no tariff is posted. The utility must provide at each office either an agent qualified to assist the customer in locating, interpreting, and applying tariff provisions or access to such an agent by a toll-free telephone number.

[Statutory Authority: RCW 80.01.040 and 80.04.180. WSR 02-11-081 (Docket No. U-991301, General Order No. R-498), § 480-90-193, filed 5/14/02, effective 6/17/02. Statutory Authority: RCW 80.04.160 and 80.01.040. WSR 01-09-002 (Docket No. U-991301, General Order No. R-481), § 480-90-193, filed 4/4/01, effective 5/5/01.]

WAC 480-90-194 Publication of proposed tariff changes to increase charges or restrict access to services. Each gas utility offering service under tariff must publish or provide electronically all proposed changes to its tariff for at least thirty days, as required by RCW 80.28.060. For any proposed tariff change that would increase recurring charges, except purchased gas adjustment (PGA) filings as provided in subsection (5) of this section, or restrict access to services (e.g., discontinue a service, or limit access to service by imposing a new usage level on existing services), a utility must fulfill the requirements of subsection (1), (2), or (3) of this section. For any other proposed tariffs, the utility must fulfill the requirements of WAC 480-90-195. The utility may

provide this information in an electronic format consistent with provisions in this chapter governing the use of electronic information.

The utility will not be required to accomplish publication under this section if it has agreed to suspend its tariff filing and to provide notice as provided under WAC 480-90-197.

(1) **Thirty-day notice to individual customers.** To comply under this method, the utility must, at least thirty days before the stated effective date of the proposed change, mail or provide electronically the posting to each customer that would be affected by the proposed change. The posting must include the information listed in subsection (4) of this section. The utility may provide this information in an electronic format consistent with provisions in this chapter governing the use of electronic information.

(2) **Published notice.** To comply under this method, the utility must, at least thirty days before the stated effective date of the proposed change, publish notice of the proposed change within the geographical areas where it offers service. To meet minimum publication requirements, a utility must:

(a) Distribute copies of the published notice to community agencies and organizations in the geographic area where the utility offers service for posting and publication by the agency or organization. The utility must include in its distribution list any agency or organization that requests these notices;

(b) Cause to be printed in large print, as a paid advertisement, a complete copy of the published notice in the daily newspaper of general circulation with the greatest number of subscribers in each geographic area or each of the areas affected by the proposed tariff;

(c) Provide to the news editor of every newspaper, television station, and radio station, in the geographic area within which it offers service a news release or public service announcement summarizing the published notice. The release or announcement must include a toll-free number that customers can use to obtain more information from the utility. The commission will maintain a list of area newspapers, television, and radio stations and will provide it on request to any utility; and

(d) Post a complete copy of the published notice on an Internet web site accessible to the public using generally available browser software.

(3) **Reduced publication with shortened notice to individual customers.** To comply under this method, the utility must:

(a) Mail or provide electronically the posting to each customer that would be affected by the proposed change at least fifteen days before the stated effective date of the proposed change. The utility may provide this information in an electronic format consistent with provisions in this chapter governing the use of electronic information;

(b) At the time of the utility's filing with the commission, distribute copies of the published notice in the same manner as provided in subsection (2)(a) of this section;

(c) At the time of the utility's filing with the commission, provide news media notice in the same manner as provided in subsection (2)(c) of this section; and

(d) At the time of the utility's filing with the commission, post a complete copy of the published notice in the same manner as provided in subsection (2)(d) of this section.

(4) **Content of postings.** The published notice required by this rule must include, when applicable:

- (a) The date the notice is issued;
- (b) The utility's name and address;
- (c) A brief explanation of the reason(s) the utility has requested the rate change (e.g., increase in labor costs, recovery of new plant investment, and increased office expenses, such as postage and customer billing);

(d) A comparison of current and proposed rates by service;

(e) An example showing the monthly increase of the average customer's bill based on the proposed rates (e.g., "based on the proposed rates, a typical gas customer using an average of eighty therms per month would see an average monthly increase of \$2.74.");

(f) When the rates will be billed (i.e., monthly or bimonthly);

(g) The requested effective date and, if different, the implementation date;

(h) A statement that the commission has the authority to set final rates that may vary from the utility's request, which may be either higher or lower depending on the results of the investigation;

(i) A description of how customers may contact the utility if they have specific questions or need additional information about the proposal; and

(j) Public involvement language. A utility may choose from:

(i) Commission-suggested language that is available from the commission's designated public affairs officer; or

(ii) Utility-developed language that must include the commission's mailing address, toll-free number, and docket number, if known, and a brief explanation of:

(A) How to participate in the commission's process by mailing or faxing a letter, or submitting an email; and

(B) How to contact the commission for process questions or to be notified of the scheduled open meeting at which the proposal will be considered by the commission.

(5) **Optional method of publication for purchase gas adjustment (PGA).** A utility that publishes notice of a PGA filing pursuant to this subsection is not required to publish notice of the filing pursuant to subsection (1), (2), or (3) of this section.

(a) The utility must provide notice to affected customers before and after final commission disposition. Notice before commission disposition is to educate customers of a potential increase in natural gas prices. Notice after commission disposition is to inform customers of the new rates.

(b) Prior PGA notice. The notice must:

(i) Clearly define what a PGA is and explain how it works;

(ii) State whether the utility expects an increase or decrease in the upcoming filing; and

(iii) Include a utility contact phone number for additional information.

(c) The utility must provide the notice to each affected customer by mail or by electronic means consistent with the provisions in this chapter governing the use of electronic information. The utility must also send the notice or a press release about the increase to every daily paper within its service territory.

(d) A newsletter, bill insert, bill message, or separate mailing to customers is permitted for prior notice.

(e) Customer notice after final commission disposition must be provided pursuant to WAC 480-90-195.

[Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 11-06-032 (Docket U-100523, General Order R-563), § 480-90-194, filed 2/25/11, effective 3/28/11. Statutory Authority: RCW 80.01.040 and 80.04.180. WSR 02-11-081 (Docket No. U-991301, General Order No. R-498), § 480-90-194, filed 5/14/02, effective 6/17/02.]

WAC 480-90-195 Notice of tariff changes other than increases in recurring charges and restrictions in access to services. (1) This section applies to tariff changes for other than those that are subject to WAC 480-90-194.

(2) A utility that files a tariff change to increase any charge that a customer may incur without being quoted a rate or price (e.g., late payment fees, insufficient fund charges, or a one-time charge) must provide notice to each affected customer on or with the first bill after the change becomes effective.

(a) At a minimum, the notice must include the effective date, a clear description of changes to rates or services and a utility contact number where customers may seek additional information.

(b) Methods of notice permitted include a bill insert, bill message, printing on the billing envelope, a separate mailing to all affected customers or, if the utility has the capability and the customer has authorized, by email.

(3) A utility that files a tariff change that decreases rates, including promotions that temporarily waive recurring or nonrecurring charges, or that changes terms or conditions without restricting access to the service, must publish the change in the manner it posts tariffs under WAC 480-90-193.

[Statutory Authority: RCW 80.01.040 and 80.04.180. WSR 02-11-081 (Docket No. U-991301, General Order No. R-498), § 480-90-195, filed 5/14/02, effective 6/17/02.]

WAC 480-90-197 Adjudicative proceedings where public testimony will be taken. (1) For adjudicated proceedings, when scheduling a hearing to take testimony from the public, the timing, location, and amount of notice to the public or to customers will be addressed in the prehearing conference order.

(2) The notice must include all information contained in WAC 480-90-194(4), except the public involvement information in WAC 480-90-194 (4)(j). A utility must include either of the following public involvement language:

(a) Commission-suggested language that is available from the commission's designated public affairs officer; or

(b) Utility-developed language that must include the commission's mailing address, toll-free number, docket number, and a brief explanation:

(i) How to participate in the commission's process by mailing or faxing a letter, or submitting an email;

(ii) How to contact the commission for process questions; and

(iii) The date, time and location of the public hearing.

(3) Methods of notice permitted include a bill insert, bill message, printing on the billing envelope, a separate mailing to all affected customers or, if the utility has the capability and the customer has authorized, by email.

(4) In addition to each affected customer, a utility must notify at least one newspaper of general circulation, and at least one radio station and at least one television station in the area or each of the areas affected.

[Statutory Authority: RCW 80.01.040 and 80.04.180. WSR 02-11-081 (Docket No. U-991301, General Order No. R-498), § 480-90-197, filed 5/14/02, effective 6/17/02.]

WAC 480-90-198 Notice verification and assistance.

(1) Within ten days of making a filing requiring posting, publication, or customer notice under WAC 480-90-194, 480-90-195, or 480-90-197, but no sooner than when the tariff is filed with the commission, a utility must file a statement with the commission's records center that the required notice has been posted, published, and/or mailed. The declaration must include:

(a) The methods used to post, publish, and/or give notice to customers;

(b) When and how the notice was posted, published, and/or issued to customers;

(c) How many customers are affected; and

(d) A copy of the notice.

(2) A utility may request assistance from the commission's designated public affairs officer with efforts to comply with WAC 480-90-193 through 480-90-197.

[Statutory Authority: RCW 80.01.040 and 80.04.180. WSR 02-11-081 (Docket No. U-991301, General Order No. R-498), § 480-90-198, filed 5/14/02, effective 6/17/02.]

WAC 480-90-199 Other customer notice. The commission may require notice to customers of tariff changes other than those described in these rules when the commission determines that additional customer education is needed.

[Statutory Authority: RCW 80.01.040 and 80.04.180. WSR 02-11-081 (Docket No. U-991301, General Order No. R-498), § 480-90-199, filed 5/14/02, effective 6/17/02.]

PART III—FINANCIAL RECORDS AND REPORTING RULES

WAC 480-90-203 Accounting system requirements.

(1) Gas utilities in the state of Washington must use the uniform system of accounts applicable to major and nonmajor gas utilities as published by the Federal Energy Regulatory Commission (FERC) in Title 18 of the Code of Federal Regulations, Part 201. Information about the Code of Federal Regulations regarding the version adopted and where to obtain it is set out in WAC 480-90-999, Adoption by reference.

(2) Gas utilities having multistate operations must maintain records in such detail that the costs of property located and business done in Washington can be readily ascertained in accordance with geographic boundaries.

(3) Any deviation from the uniform system of accounts, as prescribed by the FERC, will be accomplished only after due notice and order of this commission.

(4) This rule does not supersede any commission order regarding accounting treatments.

[Statutory Authority: RCW 80.01.040, 80.04.160, 81.04.160 and 34.05.353. WSR 02-18-033 (Docket No. A-020379, General Order No. R-501), § 480-90-203, filed 8/26/02, effective 9/26/02. Statutory Authority: RCW

[Ch. 480-90 WAC p. 20]

80.01.040 and 80.04.160. WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), § 480-90-203, filed 5/3/01, effective 6/3/01.]

Subpart A: General Rules

WAC 480-90-207 Filing information. (1) **Filing.** The commission record center will accept any filing under WAC 480-90-242 (Issuing securities) delivered in person, by mail, telefacsimile, or electronic mail message. The commission records center will accept all other reports required in Part III in person, by mail, or when procedures are in place, electronic mail message.

(2) **Commission may require additional information.** The commission may require pertinent information in addition to that specified by statute or in this chapter.

(3) **Information by reference.** When any information required to support a filing is on file with the commission, it is sufficient to make specific reference to the information indicating the proceeding, report, or other filing that contains the referenced information.

(4) **When information is unavailable.** If any required information is unavailable at the time of the filing, the filing must include the reason why the information is not available and state when it will be available.

[Statutory Authority: RCW 80.01.040, 80.04.160, and 81.04.160. WSR 05-17-026 (Docket No. A-021178 and TO-030288, General Order No. R-522), § 480-90-207, filed 8/5/05, effective 9/5/05. Statutory Authority: RCW 80.01.040, 80.04.160, 81.04.160 and 34.05.353. WSR 05-06-051 (Docket No. A-021178 and TO-030288, General Order No. R-518), § 480-90-207, filed 2/28/05, effective 3/31/05.]

WAC 480-90-209 Additional reports. Part III does not supersede any reporting requirement specified in a commission order or limit the commission's ability to request additional information.

[Statutory Authority: RCW 80.01.040, 80.04.160, 81.04.160 and 34.05.353. WSR 05-06-051 (Docket No. A-021178 and TO-030288, General Order No. R-518), § 480-90-209, filed 2/28/05, effective 3/31/05.]

WAC 480-90-213 Expenditures for political or legislative activities. (1) The commission will not allow either direct or indirect expenditures for political or legislative activities for rate-making purposes.

(2) For purposes of this rule, political or legislative activities include, but are not limited to:

(a) Encouraging support or opposition to ballot measures, legislation, candidates for a public office, or current public office holders;

(b) Soliciting support for or contributing to political action committees;

(c) Gathering data for mailing lists that are generated for the purposes of encouraging support for or opposition to ballot measures, legislation, candidates for public office, or current office holders, or encouraging support for or contributions to political action committees;

(d) Soliciting contributions or recruiting volunteers to assist in the activities set forth in (a) through (c) of this subsection.

(3) Political or legislative activities do not include activities directly related to appearances before regulatory or local governmental bodies necessary for the utility's operations.

(6/19/18)

[Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), § 480-90-213, filed 5/3/01, effective 6/3/01.]

WAC 480-90-223 Advertising. (1) The commission will not allow expenses for promotional or political advertising for rate-making purposes. The term "promotional advertising" means advertising to encourage any person or business to select or use the service or additional services of a gas utility, to select or install any appliance or equipment designed to use the gas utility's service, or to influence consumers' opinions of the gas utility.

The term "political advertising" means any advertising for the purpose of influencing public opinion with respect to legislative, administrative, or electoral matters, or with respect to any controversial issue of public importance.

(2) As used in this section the terms "promotional advertising" and "political advertising" do not include:

(a) Advertising which informs customers how to conserve energy or how to reduce peak demand for energy;

(b) Advertising required by law or by regulation, including advertising under Part 1 of Title II, of the National Energy Conservation Policy Act;

(c) Advertising regarding service interruptions, safety measures, or emergency conditions;

(d) Advertising concerning employment opportunities with the gas utility;

(e) Advertising which promotes the use of energy efficient appliances, equipment, or services;

(f) Announcements or explanations of existing or proposed tariffs or rate schedules; and

(g) Notices of meetings or commission hearings concerning gas utility rates and tariffs.

[Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), § 480-90-223, filed 5/3/01, effective 6/3/01.]

WAC 480-90-228 Retention and preservation of records and reports. (1) Each gas utility must retain all records and reports for three years unless otherwise specified by the publication referenced in subsection (2) of this section. No records may be destroyed prior to the expiration of the time specified by the publication referenced in subsection (2) of this section.

(2) The commission adopts the publication, *Regulations to Govern the Preservation of Records of Electric, Gas, and Water Companies*, published by the National Association of Regulatory Utility Commissioners as the standards for utility records retention. Information about the *Regulations to Govern the Preservation of Records of Electric, Gas, and Water Companies* regarding the version adopted and where to obtain it is set out in WAC 480-90-999, Adoption by reference.

[Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), § 480-90-228, filed 5/3/01, effective 6/3/01.]

WAC 480-90-233 Purchased gas adjustment. (1) A purchased gas adjustment (PGA) clause is an accounting and rate adjustment procedure that gas utilities use to recover actual gas costs. Gas utilities must file with the commission

for recovery of expected gas cost changes and amortization of accumulated book balances.

(2) A gas utility must include its PGA procedures in its tariff.

(3) A gas utility must make a PGA filing within a maximum of fifteen months since the effective date of the utility's last PGA. If the utility believes that a PGA filing is unnecessary within this time frame, then it must file supporting documents within thirteen months after the effective date of its last PGA demonstrating why a rate change is not necessary.

(4) A gas utility must accrue interest, compounded monthly, on deferred gas cost balances which accrue subsequent to the effective date of this rule at the previous quarter's average prime interest rate calculated as follows: The arithmetic mean of the prime rate values published in the Federal Reserve Bulletin for the fourth, third, and second months preceding the first month of the calendar quarter (also known as the "FERC interest rate").

(5) A gas utility must file a monthly report of the activity in account 191, Unrecovered purchased gas costs, for Washington within thirty days after the end of each month. The report must show the beginning balance, monthly entry and ending balances for each Washington subaccount included in account 191, Unrecovered purchased gas costs. PGA incentive amounts must be shown separately.

[Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), § 480-90-233, filed 5/3/01, effective 6/3/01.]

WAC 480-90-238 Integrated resource planning. (1) Purpose. Each natural gas utility regulated by the commission has the responsibility to meet system demand with the least cost mix of natural gas supply and conservation. In furtherance of that responsibility, each natural gas utility must develop an "integrated resource plan."

(2) Definitions.

(a) "Integrated resource plan" or "plan" means a plan describing the mix of natural gas supply and conservation designated to meet current and future needs at the lowest reasonable cost to the utility and its ratepayers.

(b) "Lowest reasonable cost" means the lowest cost mix of resources determined through a detailed and consistent analysis of a wide range of commercially available sources. At a minimum, this analysis must consider resource costs, market-volatility risks, demand-side resource uncertainties, the risks imposed on ratepayers, resource effect on system operations, public policies regarding resource preference adopted by Washington state or the federal government, the cost of risks associated with environmental effects including emissions of carbon dioxide, and the need for security of supply.

(c) "Conservation" means any reduction in natural gas consumption that results from increases in the efficiency of energy use or distribution.

(3) Content. At a minimum, integrated resource plans must include:

(a) A range of forecasts of future natural gas demand in firm and interruptible markets for each customer class that examine the effect of economic forces on the consumption of natural gas and that address changes in the number, type and efficiency of natural gas end-uses.

(b) An assessment of commercially available conservation, including load management, as well as an assessment of currently employed and new policies and programs needed to obtain the conservation improvements.

(c) An assessment of conventional and commercially available nonconventional gas supplies.

(d) An assessment of opportunities for using company-owned or contracted storage.

(e) An assessment of pipeline transmission capability and reliability and opportunities for additional pipeline transmission resources.

(f) A comparative evaluation of the cost of natural gas purchasing strategies, storage options, delivery resources, and improvements in conservation using a consistent method to calculate cost-effectiveness.

(g) The integration of the demand forecasts and resource evaluations into a long-range (e.g., at least ten years; longer if appropriate to the life of the resources considered) integrated resource plan describing the mix of resources that is designated to meet current and future needs at the lowest reasonable cost to the utility and its ratepayers.

(h) A short-term plan outlining the specific actions to be taken by the utility in implementing the long-range integrated resource plan during the two years following submission.

(i) A report on the utility's progress towards implementing the recommendations contained in its previously filed plan.

(4) Timing. Unless otherwise ordered by the commission, each natural gas utility must submit a plan within two years after the date on which the previous plan was filed with the commission. Not later than twelve months prior to the due date of a plan, the utility must provide a work plan for informal commission review. The work plan must outline the content of the integrated resource plan to be developed by the utility and the method for assessing potential resources.

(5) Public participation. Consultations with commission staff and public participation are essential to the development of an effective plan. The work plan must outline the timing and extent of public participation. In addition, the commission will hear comment on the plan at a public hearing scheduled after the utility submits its plan for commission review.

(6) The commission will consider the information reported in the integrated resource plan, when it evaluates the performance of the utility in rate and other proceedings.

[Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 06-03-001 (Docket Nos. UE-030311 and UG-030312, General Order No. R-526), § 480-90-238, filed 1/4/06, effective 2/4/06; WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), § 480-90-238, filed 5/3/01, effective 6/3/01.]

Subpart B: Financial Transaction Reporting Requirements

WAC 480-90-242 Issuing securities. For the purpose of this section:

"Securities" means stocks, stock certificates, other evidence of interest or ownership, bonds, notes other than those notes exempted from reporting under RCW 80.08.043, or other evidence of indebtedness, or any obligation or liability as guarantor subject to reporting under RCW 80.08.130.

[Ch. 480-90 WAC p. 22]

(1) Before a gas utility issues a security, it must file with the commission:

(a) A description of the purposes for which the issuance will be made, including a certification by an officer authorized to do so, that the proceeds from any such financing is for one or more of the purposes allowed by RCW 80.08.030;

(b) A description of the proposed issuance, including the terms of financing; and

(c) A statement as to why the transaction is in the public interest.

(2) A commission order is not required for such a filing. The utility may request a written order affirming that the utility has complied with the requirements of RCW 80.08.040. The utility must submit the request for a commission order, along with the information required in subsection (1) of this section, at least fifteen business days before the requested effective date for the order. Requests for supplemental orders may be exempt from the fifteen business day requirement.

(3) Filing a Registration Statement with the Securities and Exchange Commission using a shelf registration process does not constitute undertaking the issuance of a security, and therefore a filing with the commission is not required under the provisions of RCW 80.08.040. A shelf registration filing is defined under the General Rules and Regulations promulgated under the Securities Act of 1933, Rule 415 - Delayed or Continuous Offering and Sale of Securities.

(4) An authorized representative must sign and date the filing and include a certification or declaration that the information is true and correct under penalty of perjury as set forth in chapter 9A.72 RCW. The certificate or declaration must be in substantially the following form:

"I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct."

(5) Filings under this section may be submitted with portions designated confidential pursuant to WAC 480-07-160 (Confidential information).

(6) Within sixty days after the issuance of any securities, except for dividend reinvestment and employee benefit plans, a utility must file with the commission a verified statement:

(a) Outlining the final terms and conditions of the transaction; and

(b) Setting forth actual proceeds from the issuance and, to the extent known, the disposition of proceeds stating the final amount to be used for each purpose allowed by RCW 80.08.030.

[Statutory Authority: RCW 80.01.040, 80.04.160, and 81.04.160. WSR 05-17-026 (Docket No. A-021178 and TO-030288, General Order No. R-522), § 480-90-242, filed 8/5/05, effective 9/5/05.]

WAC 480-90-244 Transferring cash or assuming obligations. (1) At least five business days before a gas utility whose corporate/issuer rating is not in one of the four highest rating categories of either Standard & Poor's L.L.C. or Moody's Investors Service, Inc., or its subsidiary transfers cash to any of its affiliated interests or subsidiaries or assumes an obligation or liability of any of its affiliated interests or any of its subsidiaries, the utility must report to the commission an estimate of the amount to be transferred and

(6/19/18)

the terms of the transaction when the transaction will exceed thresholds described in (a) or (b) of this subsection.

(a) The utility must report if the cumulative transactions to a subsidiary or affiliated interest for the prior twelve months exceed a threshold of two percent, which is based on the utility's common shareholders equity.

(b) When the threshold in (a) of this subsection has been reached, the utility must report each subsequent transaction exceeding a threshold of one percent for the prior twelve-month period, which is based on the utility's common shareholders equity.

A utility's common shareholder equity is determined according to the latest annual report filed pursuant to WAC 480-90-252 (Federal Energy Regulatory Commission (FERC) Form No. 2). Information about the FERC Form No. 2 regarding the version adopted and where to obtain it is set out in WAC 480-90-999 (Adoption by reference).

(2) The reporting requirements in subsection (1) of this section do not include payments for:

- (a) Federal and state taxes;
- (b) Goods, services, or commodities, including fuel supplies (e.g., gas, coal, or oil);
- (c) Transactions, attributed to the regulated entity, previously approved or ordered by the commission, other regulatory agencies, or the court;
- (d) Dividends to the extent the level of such dividends over a twelve-month period does not exceed the larger of:
 - (i) Net income during such period; or
 - (ii) The average level of dividends over the preceding three years; or
- (e) Sweep or cash management accounts used to transfer funds to or from a subsidiary or affiliate as part of the customary and routine cash management functions between or among the utility and its subsidiary or affiliate.

[Statutory Authority: RCW 80.01.040, 80.04.160, 81.04.160 and 34.05.353. WSR 05-06-051 (Docket No. A-021178 and TO-030288, General Order No. R-518), § 480-90-244, filed 2/28/05, effective 3/31/05.]

WAC 480-90-245 Affiliated interests—Contracts or arrangements. Prior to the effective date of any contract or arrangement described in RCW 80.16.020, each gas utility must file a verified copy or a verified summary, if unwritten, of contracts or arrangements, except for transactions provided at tariff rates, with any affiliated interest. Prior to the effective date of any modification or amendment, the utility must file verified copies of the modifications or amendments to the contracts or arrangements. If the contract or arrangement is unwritten, the utility must file a verified summary of any modification or amendment. The commission may institute an investigation and disapprove the contract or arrangement if the commission finds the utility has failed to prove that it is reasonable and consistent with the public interest.

[Statutory Authority: RCW 80.01.040, 80.04.160, 81.04.160 and 34.05.353. WSR 05-06-051 (Docket No. A-021178 and TO-030288, General Order No. R-518), § 480-90-245, filed 2/28/05, effective 3/31/05.]

WAC 480-90-248 Transfers of property. Before selling, leasing, or assigning any of its property or facilities which are necessary or useful in the performance of its duties to the public, or before acquiring property or facilities of another public utility, a gas utility must obtain from the com-

mission an order authorizing such transaction in accordance with chapter 80.12 RCW (Transfers of property) and chapter 480-143 WAC (Commission general—Transfers of property).

[Statutory Authority: RCW 80.01.040, 80.04.160, and 81.04.160. WSR 05-17-026 (Docket No. A-021178 and TO-030288, General Order No. R-522), § 480-90-248, filed 8/5/05, effective 9/5/05. Statutory Authority: RCW 80.01.040, 80.04.160, 81.04.160 and 34.05.353. WSR 05-06-051 (Docket No. A-021178 and TO-030288, General Order No. R-518), § 480-90-248, filed 2/28/05, effective 3/31/05.]

Subpart C: Annual Reporting Requirements

WAC 480-90-252 Federal Energy Regulatory Commission (FERC) Form No. 2. (1) Each gas utility must use the annual report form (FERC Form No. 2) promulgated by the Federal Energy Regulatory Commission in Title 18 of the Code of Federal Regulations, Part 260, for purposes of this report to the commission. Data required by RCW 80.04.080 (Annual reports), but not included in the FERC Form No. 2, must also be submitted with the annual report. The utility must submit the annual report for the preceding calendar year, along with the regulatory fee, by May 1st of each year. If not presented in the prescribed FERC Form No. 2, the annual report must include the following data per customer class for the calendar year: Revenues, average customer count, and total unit sales. Information about the FERC Form No. 2 regarding the version adopted and where to obtain it is set out in WAC 480-90-999 (Adoption by reference).

(2) Each utility must also submit to this commission, in essentially the same format and content as the FERC Form No. 2, a report that documents the costs incurred and the property necessary to furnish utility service to its customers and the revenues obtained in the state of Washington. The report must include the following data per customer class for the calendar year: Revenues, average customer count, and total unit sales.

(3) Combination and multistate utilities must submit with the annual report their cost allocation methods necessary to develop results of operations for the state of Washington. Approval of cost allocation methods for rate-making purposes is accomplished only by commission order.

(4) The total utility results of operations reported by each utility in its annual report to the commission must agree with the results of operations shown on the utility's books and records.

(5) **Regulatory fees.** The gas utility annual regulatory fee is set by statute at one-tenth of one percent of the first fifty thousand dollars of gross intrastate operating revenue plus two-tenths of one percent of any gross intrastate operating revenue in excess of fifty thousand dollars.

(a) The maximum regulatory fee is assessed each year, unless the commission issues an order establishing the regulatory fee at an amount less than the statutory maximum.

(b) The minimum regulatory fee that a gas utility must pay is twenty dollars.

(c) The twenty-dollar minimum regulatory fee is waived for any gas utility with less than twenty thousand dollars in gross intrastate operating revenue.

(d) The commission does not grant extensions for payment of regulatory fees.

(e) If a company does not pay its regulatory fee by May 1, the commission will assess an automatic late fee of two percent of the amount due, plus one percent interest for each month the fee remains unpaid.

[Statutory Authority: 80.01.040(4), 81.04.160, and 34.05.353. WSR 06-08-057 (Docket A-060085, General Order No. R-531), § 480-90-252, filed 3/31/06, effective 5/1/06. Statutory Authority: RCW 80.01.040, 80.04.160, 81.04.160 and 34.05.353. WSR 05-21-022 (Docket No. A-050271, General Order No. R-521), § 480-90-252, filed 10/10/05, effective 11/10/05; WSR 05-06-051 (Docket No. A-021178 and TO-030288, General Order No. R-518), § 480-90-252, filed 2/28/05, effective 3/31/05.]

WAC 480-90-257 Commission basis report. (1) Commission basis reports are due within four months of the end of a utility's fiscal year.

(2) The intent of the commission basis report is to depict the gas operations of a gas utility under normal temperature and power supply conditions during the reporting period. The commission basis report must include:

(a) Booked results of gas operations and rate base, and all the necessary adjustments as accepted by the commission in the utility's most recent general rate case or subsequent orders;

(b) Results of operations adjusted for any material out-of-period, nonoperating, nonrecurring, and extraordinary items or any other item that materially distorts reporting period earnings and rate base; and

(c) Booked revenues and power supply expenses adjusted to reflect operations under normal temperature and power supply conditions before the achieved return on rate base is calculated.

(3) Commission basis reports should not include adjustments that annualize price, wage, or other cost changes during a reporting period, nor new theories or approaches that have not been previously addressed and resolved by the commission.

(4) Each utility must submit the basis of any cost allocations and the allocation factors necessary to develop the commission basis results of gas operations for the state of Washington.

[Statutory Authority: RCW 80.01.040, 80.04.160, 81.04.160 and 34.05.353. WSR 05-06-051 (Docket No. A-021178 and TO-030288, General Order No. R-518), § 480-90-257, filed 2/28/05, effective 3/31/05.]

WAC 480-90-262 Securities report. Each gas utility that has issued securities must file with the commission an annual securities transaction report. The report is due five months from the end of the utility's reporting period, whether a fiscal or calendar year. At a minimum, the report must contain:

(1) A schedule of the securities issued during the reporting period including a detailed description of the final agreements;

(2) A description of the use of proceeds stating the amounts used for each purpose allowed by RCW 80.08.030;

(3) The level of expenses for each of the securities transactions for the reporting period;

(4) A schedule of securities retired, refunded, repurchased, or otherwise removed from the utility's capitalization; and

(5) A schedule of securities scheduled to mature in the fiscal or calendar year following the reporting period.

[Ch. 480-90 WAC p. 24]

[Statutory Authority: RCW 80.01.040, 80.04.160, and 81.04.160. WSR 05-17-026 (Docket No. A-021178 and TO-030288, General Order No. R-522), § 480-90-262, filed 8/5/05, effective 9/5/05.]

WAC 480-90-264 Affiliated interest and subsidiary transactions report. (1) Each gas utility must file an annual report summarizing all transactions, except transactions provided at tariff rates, that occurred between the utility and its affiliated interests, and the utility and its subsidiaries. The report is due one hundred twenty days from the end of the utility's fiscal or calendar year (reporting period). The report must include a corporate organization chart of the utility and its affiliated interests and subsidiaries.

(2) When total transactions with an affiliated interest or a subsidiary are less than one hundred thousand dollars for the reporting period, the utility must provide the name of the affiliated interest or subsidiary participating in the transactions and the total dollar amounts of the transactions. When total transactions with an affiliated interest or subsidiary equal or exceed one hundred thousand dollars for the reporting period, the utility must provide:

(a) A balance sheet and income statement for such affiliated interest;

(b) A description of the products or services provided to or from the utility and each such affiliated interest or subsidiary;

(c) A description of the pricing basis or costing method, and procedures for allocating costs for such products or services, and the amount and accounts charged during the year;

(d) A description of the terms of any loans between the utility and each such affiliated interest or subsidiary and a listing of the year-end loan amounts and maximum loan amounts outstanding during the year;

(e) A description of the terms and total amount of any obligation or liability assumed by the utility for each such affiliated interest or subsidiary;

(f) A description of the activities of each such affiliated interest or subsidiary with which the utility has transactions; and

(g) A list of all common officers and directors between the gas utility and each such affiliated interest or subsidiary, along with their titles in each organization.

(3) The report required in this section supersedes the reporting requirements contained in previous commission orders authorizing affiliated interest transactions pursuant to chapter 80.16 RCW.

(4) The utility is obligated to file verified copies of affiliated interest contracts and arrangements as stated in WAC 480-90-245 (Affiliated interest—Contracts and arrangements).

[Statutory Authority: RCW 80.01.040, 80.04.160, 81.04.160 and 34.05.353. WSR 05-06-051 (Docket No. A-021178 and TO-030288, General Order No. R-518), § 480-90-264, filed 2/28/05, effective 3/31/05.]

WAC 480-90-268 Essential utilities services contracts report. (1) When the annual value to a vendor exceeds one and one-half percent of total company sales to ultimate customers as reported in the utility's most recent Federal Energy Regulatory Commission (FERC) Form No. 2 (or combined Forms No. 1 and No. 2 for combined utilities), each gas utility must report the total contracts with that ven-

(6/19/18)

dor for essential utility services specifying the relevant terms of the contract or contracts, along with anticipated associated charges. Information about the FERC Form No. 2 regarding the version adopted and where to obtain it is set out in WAC 480-90-999 (Adoption by reference).

(2) The report of essential service vendors is due one hundred twenty days from the end of each reporting period, whether a fiscal or calendar year.

(3) For each vendor the report must include:

- (a) The parties to the contract;
- (b) The type of contract;
- (c) The essential obligations of each party to the contract;
- (d) The length of the contract;
- (e) The budgeted annual dollar value of the contract during the reporting period; and
- (f) The actual payments for services rendered under the contract during the reporting period.

(4) Essential utility services are those services necessary to provide gas service such as:

- (a) Operation or maintenance of gas system infrastructure;
- (b) Operation or maintenance of computer systems;
- (c) Purchase of gas for classes of customer service regulated by the commission; and
- (d) Construction of gas system infrastructure.

(5) The requirements under this section may be satisfied in whole or in part by cross-reference to the applicable portions of other documents that the utility has on file with the commission.

[Statutory Authority: RCW 80.01.040, 80.04.160, 81.04.160 and 34.05.353. WSR 05-06-051 (Docket No. A-021178 and TO-030288, General Order No. R-518), § 480-90-268, filed 2/28/05, effective 3/31/05.]

Subpart D: Quarterly Reporting Requirement

WAC 480-90-275 Actual results for Washington operations report. Within forty-five days of the end of each quarter, each gas utility must file a report of actual results for Washington operations. The results of operations report must contain each of the three monthly balances and the latest twelve months' ending balance for all accounts of the uniform system of accounts. The report must include the average customer count and total unit sales per customer class for each reported period.

[Statutory Authority: RCW 80.01.040, 80.04.160, 81.04.160 and 34.05.353. WSR 05-06-051 (Docket No. A-021178 and TO-030288, General Order No. R-518), § 480-90-275, filed 2/28/05, effective 3/31/05.]

PART IV—GAS METERING AND STANDARDS RULES

WAC 480-90-303 Heating value of gas. (1) A gas utility must state in its tariff the minimum heating value of gas delivered to customers. The minimum heating value of the gas must be sufficient to operate an appliance uniformly.

(2) **Testing equipment.** If a gas utility provides and maintains its own gas calorimeter, the calorimeter and accessories must be installed in a suitable area. The calorimeter and its location and accuracy must be approved by the commission.

(6/19/18)

(3) If a gas utility does not maintain its own gas calorimeter, the utility's supplier must provide the calorimetric results to the commission on request.

(4) A gas utility may use a caloroptic indicator to determine the heat value when a mixture of liquified petroleum gas and air is used.

(5) **Testing requirements.** Each gas utility must take at least one daily heat value test of the gas supplied to its customers.

(6) The total heating value must be stated in British thermal units per cubic foot.

(7) The average daily heating values must be determined by taking the average of all daily heating values measured throughout the day. The average monthly heating value must be the average of all daily average values for the calendar month.

(8) For billing purposes, the gas utility may apply the average heating value for a given month to the following month provided the procedure is written in the utility's tariff.

(9) **Testing records.** Each gas utility must keep complete records of each heat value test. These records must be accessible to the commission and its authorized representatives.

(10) The utility must adopt standard forms that record the heating value, gas analysis, and specific gravity results. The forms are subject to commission approval. Each form must be retained as a record for at least two years at the station where the tests were made.

[Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), § 480-90-303, filed 5/3/01, effective 6/3/01.]

WAC 480-90-308 Meter readings. A meter is required to record or indicate the volume of gas taken, measured in units of cubic feet or other volumetric unit. The gas utility, upon request, must supply the customer with all variables and formulas to enable the customer to compute billable units, typically therms.

[Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), § 480-90-308, filed 5/3/01, effective 6/3/01.]

WAC 480-90-313 Meter charges. (1) A gas utility will make no charge for furnishing and installing a meter required to determine the customer's usage for billing of gas service in accordance with the utility's filed tariff. The utility may charge for additional meters or metering equipment requested by the customer or required by the utility's tariff for services beyond determining the customer's bill.

(2) A meter will not be required on flat-rate service.

[Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), § 480-90-313, filed 5/3/01, effective 6/3/01.]

WAC 480-90-323 Meter set assembly location. (1) The customer must furnish a convenient and unobstructed location to install the meter set assembly that is acceptable to the gas utility.

(2) A meter set assembly may include a meter, regulator, valve, and adjacent components. The meter set assembly

[Ch. 480-90 WAC p. 25]

must be accessible to the utility to read, inspect, repair, test, and make changes.

(3) Residential and commercial meter set assemblies should be installed outside at the building wall. All meter set assemblies should be placed, whenever possible, away from doors, windows, building overhangs, intake ducts, and other outside areas where gas can accumulate and migrate into buildings. When it becomes necessary to locate meters away from the building wall or inside buildings, the gas utility must keep a record of these meter set assemblies, including in such record the location, installation date, and leak history. Utilities must submit copies of such records to the commission upon request.

(4) The meter set assembly must be protected with a protective barrier whenever damage by vehicles or marine traffic is likely to occur.

[Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), § 480-90-323, filed 5/3/01, effective 6/3/01.]

WAC 480-90-328 Meter identification. Gas utilities must identify each meter by a unique series of serial numbers, letters, or combination of both, placed in a conspicuous position on the meter, along with the utility's name or initials. Utilities must update the name or initials on its meters within three years of a name change.

[Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), § 480-90-328, filed 5/3/01, effective 6/3/01.]

WAC 480-90-333 Initial accuracy of meters. (1) Each meter must be in good mechanical shape and adjusted to read as accurately as practical before being placed in service. Meters are required to be free of leaks and deliver gas without noticeable fluctuation due to mechanical operation of the meter.

(2) The gas utility must seal all meters in service or use a sealing method acceptable to the commission.

[Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), § 480-90-333, filed 5/3/01, effective 6/3/01.]

WAC 480-90-338 Metering tolerance. A meter must not deviate more than two percent fast or slow at each test rate.

[Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), § 480-90-338, filed 5/3/01, effective 6/3/01.]

WAC 480-90-343 Statement of meter test procedures. (1) The gas utility must include a statement in its tariff describing its practice under these rules covering:

(a) The description of test methods used and frequency of tests for determining the meter accuracy. The description must include, but is not limited to:

(i) Test group detail and selection procedures;

(ii) Performance standard details for meters that exceed the maximum allowable tolerance for slow as well as fast meters;

(iii) The corrective action and time period that will be implemented; and

[Ch. 480-90 WAC p. 26]

(iv) Reference to an industry standard such as ANSI C12.1 or ANSI/[isrt]ASQC-Z1.9 that will establish acceptable criteria for numerical analysis.

(b) The description of meter testing equipment and accuracy determination methods.

(c) The name of the testing laboratory making meter tests if gas companies do not maintain meter testing equipment.

(d) The testing and adjustment program of meters prior to installation and periodic tests after installation.

(2) If a gas utility changes any portion of the meter test procedure, a revised tariff must be submitted.

[Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), § 480-90-343, filed 5/3/01, effective 6/3/01.]

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency.

WAC 480-90-348 Frequency of periodic meter tests.

(1) The minimum periodic test interval for gas meters, other than orifice meters, is as follows:

(a) Meters with capacity up to three thousand cubic feet per hour - Every ten years;

(b) Meters with capacity three thousand cubic feet per hour and over - Every five years.

(2) The minimum periodic test interval for orifice meters is as follows:

(a) Differential gauges - At least once each three months;

(b) Orifice plate - At least once each year.

(3) A meter sampling program may be implemented by the utility in lieu of the basic periodic test interval as provided for under WAC 480-90-343, Statement of meter test procedures.

[Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), § 480-90-348, filed 5/3/01, effective 6/3/01.]

WAC 480-90-353 Meter history records. (1) Gas utilities must establish records showing the history of each meter purchased and installed. Each record must be maintained for the life of the meter, plus three months. The forms of such records are subject to commission approval and must contain the following information, at a minimum:

(a) The date of purchase;

(b) Gas utility's identification number;

(c) Type, model, or series of meter; and

(d) Current meter location.

(2) The utility must maintain the meter history from the meter's last shop maintenance and "out proof test" through service, removal and "in proof test," plus six months. The records are subject to approval of the commission and must contain, at a minimum, the following information:

(a) Date and nature of repairs;

(b) Date and results of the "out proof test";

(c) Date and results of the "in proof test";

(d) Date, location, and index reading when placed in service;

(e) Date, location, and index reading when removed from service; and

(f) Date, complainant's name and address, and results of any complaint test(s) made while the meter was in service.

(6/19/18)

(3) Overhauled meters that meet new meter standards may be retired and reenter the system as new meters.

[Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), § 480-90-353, filed 5/3/01, effective 6/3/01.]

PART V—ADOPTION BY REFERENCE

WAC 480-90-999 Adoption by reference. In this chapter, the commission adopts by reference all or portions of regulations and standards identified below. They are available for inspection at the commission library. The publications, effective date, references within this chapter, and availability of the resources are as follows:

(1) **Title 18 Code of Federal Regulations**, cited as 18 C.F.R., including all appendices and amendments is published by the United States Government Publishing Office.

(a) The commission adopts the version in effect on April 1, 2015.

(b) The accounting and reporting for the types of transactions and events covered by the amendment should not be construed as indicative of their treatment by this commission for ratemaking purposes.

(c) This publication is referenced in WAC 480-90-203 (Accounting system requirements), WAC 480-90-244 (Transferring cash or assuming obligations), WAC 480-90-252 (Federal Energy Regulatory Commission (FERC) Form No. 2), and WAC 480-90-268 (Essential utilities services contracts report).

(d) Copies of Title 18 Code of Federal Regulations are available from the U.S. Government Publishing Office in Washington, D.C., or online at <http://www.gpo.gov/>, and from various third-party vendors. It is also available for inspection at the commission branch of the state library.

(2) **The Regulations to Govern the Preservation of Records of Electric, Gas, and Water Utilities** is published by the National Association of Regulatory Utility Commissioners (NARUC).

(a) The commission adopts the version in effect in 2007.

(b) This publication is referenced in WAC 480-90-228 (Retention and preservation of records and reports).

(c) The *Regulations to Govern the Preservation of Records of Electric, Gas, and Water Companies* is a copyrighted document. Copies are available from NARUC, in Washington, D.C. or at NARUC publications store online: <http://www.naruc.org/store>. It is also available for inspection at the commission branch of the state library.

[Statutory Authority: RCW 80.10.040, 80.04.160, 81.04.160, and 34.05.353. WSR 18-13-106, § 480-90-999, filed 6/19/18, effective 7/20/18. Statutory Authority: RCW 80.01.040, 80.04.160, 81.04.160, and 34.05.353. WSR 17-15-054 (Docket A-170015, General Order R-589), § 480-90-999, filed 7/13/17, effective 8/13/17; WSR 16-05-035 (Docket A-151884, General Order R-585), § 480-90-999, filed 2/9/16, effective 3/11/16; WSR 15-06-048 (Docket A-143302, General Order R-579), § 480-90-999, filed 3/2/15, effective 4/2/15; WSR 14-05-001 (Docket A-131761, General Order R-574), § 480-90-999, filed 2/5/14, effective 3/8/14; WSR 13-05-023 (Docket A-121496, General Order R-569), § 480-90-999, filed 2/11/13, effective 3/14/13; WSR 12-05-063 (Docket A-111722, General Order R-564), § 480-90-999, filed 2/15/12, effective 3/17/12; WSR 11-04-041 (Docket A-101466, General Order R-562), § 480-90-999, filed 1/25/11, effective 2/25/11; WSR 09-01-171 (Docket A-081419, General Order R-554), § 480-90-999, filed 12/23/08, effective 1/23/09; WSR 06-17-087 (Docket A-060475, General Order No. R-537), § 480-90-999, filed 8/14/06, effective 9/14/06; WSR 05-21-022 (Docket No. A-050271, General Order No. R-

521), § 480-90-999, filed 10/10/05, effective 11/10/05; WSR 05-06-051 (Docket No. A-021178 and TO-030288, General Order No. R-518), § 480-90-999, filed 2/28/05, effective 3/31/05; WSR 04-01-152 (General Order No. R-511, Docket No. A-030852), § 480-90-999, filed 12/22/03, effective 1/22/04; WSR 02-18-033 (Docket No. A-020379, General Order No. R-501), § 480-90-999, filed 8/26/02, effective 9/26/02. Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 01-11-003 (Docket No. UG-990294, General Order No. R-484), § 480-90-999, filed 5/3/01, effective 6/3/01.]