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HOUSE BILL 2338

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State of Washington

53rd Legislature

1994 Regular Session

By Representatives Bray and Long; by request of Utilities & Transportation Commission

Read first time 01/14/94. Referred to Committee on Energy & Utilities.

1 AN ACT Relating to interest on delinquent payment of regulatory  
2 fees imposed by the utilities and transportation commission; amending  
3 RCW 80.24.010, 81.70.350, 81.80.321, and 81.108.090; and adding a new  
4 section to chapter 81.24 RCW.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 **Sec. 1.** RCW 80.24.010 and 1990 c 48 s 1 are each amended to read  
7 as follows:

8 Every public service company subject to regulation by the  
9 commission shall, on or before the date specified by the commission for  
10 filing annual reports under RCW 80.04.080, file with the commission a  
11 statement on oath showing its gross operating revenue from intrastate  
12 operations for the preceding calendar year or portion thereof and pay  
13 to the commission a fee equal to one-tenth of one percent of the first  
14 fifty thousand dollars of gross operating revenue, plus two-tenths of  
15 one percent of any gross operating revenue in excess of fifty thousand  
16 dollars: PROVIDED, That the fee shall in no case be less than one  
17 dollar.

18 The percentage rates of gross operating revenue to be paid in any  
19 year may be decreased by the commission for any class of companies

1 subject to the payment of such fees, by general order entered before  
2 March 1st of such year, and for such purpose such companies shall be  
3 classified as follows:

4 Electrical, gas, water, telecommunications, and irrigation  
5 companies shall constitute class one. Every other company subject to  
6 regulation by the commission, for which regulatory fees are not  
7 otherwise fixed by law shall pay fees as herein provided and shall  
8 constitute additional classes according to kinds of businesses engaged  
9 in.

10 Any payment of the fee imposed by this section made after its due  
11 date shall include a late fee of two percent of the amount due.  
12 Delinquent fees shall accrue interest at the rate of one percent per  
13 month.

14 NEW SECTION. Sec. 2. A new section is added to chapter 81.24 RCW  
15 to read as follows:

16 Any payment of a fee imposed by this chapter made after its due  
17 date shall include a late fee of two percent of the amount due.  
18 Delinquent fees shall accrue interest at the rate of one percent per  
19 month.

20 **Sec. 3.** RCW 81.70.350 and 1989 c 163 s 16 are each amended to read  
21 as follows:

22 (1) The commission shall collect from each charter party carrier  
23 and excursion service carrier holding a certificate issued pursuant to  
24 this chapter and from each interstate or foreign carrier subject to  
25 this chapter an annual regulatory fee, to be established by the  
26 commission but which in total shall not exceed the cost of supervising  
27 and regulating such carriers, for each bus used by such carrier.

28 (2) All fees prescribed by this section shall be due and payable on  
29 or before December 31 of each year, to cover the ensuing year beginning  
30 February 1.

31 (3) Any payment of the fee imposed by this section made after its  
32 due date shall include a late fee of two percent of the amount due.  
33 Delinquent fees shall accrue interest at the rate of one percent per  
34 month.

35 **Sec. 4.** RCW 81.80.321 and 1993 c 97 s 3 are each amended to read  
36 as follows:

1 In addition to all other fees to be paid, a common carrier and  
2 contract carrier shall pay a regulatory fee of no more than 0.0025 of  
3 its gross income from intrastate operations for the previous calendar  
4 year, or such other period as the commission designates by rule. The  
5 carrier shall pay the fee no later than four months after the end of  
6 the appropriate period and shall include with the payment such  
7 information as the commission requires by rule.

8 The legislature intends that the fees collected under this chapter  
9 shall reasonably approximate the cost of supervising and regulating  
10 motor carriers subject to this chapter, and to that end the commission  
11 may by general order decrease fees provided in this section if it  
12 determines that the moneys then in the motor carrier account of the  
13 public service revolving fund and the fees currently to be paid will  
14 exceed the reasonable cost of supervising and regulating carriers.

15 Any payment of the fee imposed by this section made after its due  
16 date shall include a late fee of two percent of the amount due.  
17 Delinquent fees shall accrue interest at the rate of one percent per  
18 month.

19 All fees collected under any other provision of this chapter must  
20 be paid to the commission. The commission shall transmit the fees to  
21 the state treasurer within thirty days for deposit to the credit of the  
22 public service revolving fund.

23 **Sec. 5.** RCW 81.108.090 and 1991 c 272 s 10 are each amended to  
24 read as follows:

25 (1) A site operator shall, on or before May 1, 1992, and each year  
26 thereafter, file with the commission a statement showing its gross  
27 operating revenue from intrastate operations for the preceding calendar  
28 year, or portion thereof, and pay to the commission a fee equal to one  
29 percent of the amount of the gross operating revenue, exclusive of site  
30 surveillance fees, perpetual care and maintenance fees, site closure  
31 fees, and state or federally imposed out-of-region surcharges.

32 (2) Fees collected under this chapter shall reasonably approximate  
33 the cost of supervising and regulating site operators. The commission  
34 may order a decrease in fees by March 1st of any year in which it  
35 determines that the moneys then in the radioactive waste disposal  
36 companies account of the public service revolving fund and the fees  
37 currently to be paid will exceed the reasonable cost of supervising and  
38 regulating site operators.

1 (3) Fees collected under this section or under any other provision  
2 of this chapter shall be paid to the commission and shall be  
3 transmitted to the state treasurer within thirty days to be deposited  
4 to the credit of the public service revolving fund.

5 (4) Any payment of a fee imposed by this chapter made after its due  
6 date shall include a late fee of two percent of the amount due.  
7 Delinquent fees shall accrue interest at the rate of one percent per  
8 month.

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