

**Chapter 80.24 RCW
REGULATORY FEES**

Sections

- 80.24.010 Companies to file reports of gross revenue and pay fees—
Delinquent fee payments.
- 80.24.020 Fees to approximate reasonable cost of regulation.
- 80.24.030 Intent of legislature—Regulatory cost records to be kept
by commission.
- 80.24.040 Disposition of fees.
- 80.24.050 Penalty for failure to pay fees—Disposition of fines and
penalties.
- 80.24.060 Pipeline safety fee—Reports—Procedure to contest fees—
Regulatory incentive program.

*Assessment of public utilities for property tax purposes: Chapter
84.12 RCW.*

*Corporations, annual license fees for public service companies: RCW
23B.01.590.*

*Easements of public service companies taxable as personalty: RCW
84.20.010.*

Public utility tax: Chapter 82.16 RCW.

RCW 80.24.010 Companies to file reports of gross revenue and pay fees—Delinquent fee payments. Every public service company subject to regulation by the commission shall, on or before the date specified by the commission for filing annual reports under RCW 80.04.080, file with the commission a statement on oath showing its gross operating revenue from intrastate operations for the preceding calendar year or portion thereof and pay to the commission a fee equal to one-tenth of one percent of the first \$50,000 of gross operating revenue, plus four-tenths of one percent of any gross operating revenue in excess of \$50,000, except that a large combination utility as defined in RCW 80.86.010 shall pay a fee equal to 0.001 percent of the first \$50,000 of gross operating revenue, plus 0.005 percent of any gross operating revenue in excess of \$50,000: PROVIDED, That the commission may, by rule, set minimum fees that do not exceed the cost of collecting the fees. The commission may by rule waive any or all of the minimum fee established pursuant to this section.

The percentage rates of gross operating revenue to be paid in any year may be decreased by the commission for any class of companies subject to the payment of such fees, by general order entered before March 1st of such year, and for such purpose such companies shall be classified as follows:

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

Any payment of the fee imposed by this section made after its due date shall include a late fee of two percent of the amount due.

Delinquent fees shall accrue interest at the rate of one percent per month. [2024 c 351 s 13; 2022 c 159 s 1; 2003 c 296 s 1; 1994 c 83 s 1; 1990 c 48 s 1; 1985 c 450 s 14; 1961 c 14 s 80.24.010. Prior: 1955 c 125 s 2; prior: 1939 c 123 s 1, part; 1937 c 158 s 1, part; 1929 c 107 s 1, part; 1923 c 107 s 1, part; 1921 c 113 s 1, part; RRS s 10417, part.]

Effective date—2024 c 351: See note following RCW 80.86.010.

RCW 80.24.020 Fees to approximate reasonable cost of regulation.

In fixing the percentage rates of gross operating revenue to be paid in any year, the commission shall consider all moneys then in the public service revolving fund and the fees currently to be paid into such fund, to the end that the fees collected from the several classes of companies shall be approximately the same as the reasonable cost of supervising and regulating such classes of companies. [1961 c 14 s 80.24.020. Prior: 1955 c 125 s 3; prior: 1939 c 123 s 1, part; 1937 c 158 s 1, part; RRS s 10417, part.]

RCW 80.24.030 Intent of legislature—Regulatory cost records to be kept by commission. It is the intent and purpose of the legislature that the several groups of public service companies shall each contribute sufficient in fees to the commission to pay the reasonable cost of regulating the several groups respectively. The commission shall keep accurate records of the costs incurred in regulating and supervising the several groups of companies subject to regulation or supervision and such records shall be open to inspection by all interested parties. The records and data upon which the commission's determination is made shall be considered prima facie correct in any proceeding instituted to challenge the reasonableness or correctness of any order of the commission fixing fees and distributing regulatory expenses. [1961 c 14 s 80.24.030. Prior: 1937 c 158 s 7; RRS s 10417-5.]

RCW 80.24.040 Disposition of fees. All moneys collected under the provisions of this chapter shall within thirty days be paid to the state treasurer and by the state treasurer deposited to the public service revolving fund: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a district court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended. [1987 c 202 s 239; 1969 ex.s. c 199 s 36; 1961 c 14 s 80.24.040. Prior: 1937 c 158 s 6; RRS s 10417-4.]

Intent—1987 c 202: See note following RCW 2.04.190.

RCW 80.24.050 Penalty for failure to pay fees—Disposition of fines and penalties. Every person, firm, company or corporation, or the officers, agents or employees thereof, failing or neglecting to pay the fees herein required shall be guilty of a misdemeanor. All fines and penalties collected under the provisions of this chapter shall be deposited into the public service revolving fund of the state

treasury: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a district court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended. [1987 c 202 s 240; 1979 ex.s. c 198 s 1; 1969 ex.s. c 199 s 37; 1961 c 14 s 80.24.050. Prior: 1923 c 107 s 2; 1921 c 113 s 3; RRS s 10419.]

Intent—1987 c 202: See note following RCW 2.04.190.

RCW 80.24.060 Pipeline safety fee—Reports—Procedure to contest fees—Regulatory incentive program. (1)(a) Every gas company and every interstate gas pipeline company subject to inspection or enforcement by the commission shall pay an annual pipeline safety fee to the commission. The pipeline safety fees received by the commission shall be deposited in the pipeline safety account created in RCW 81.88.050.

(b) The aggregate amount of fees set shall be sufficient to recover the reasonable costs of administering the pipeline safety program, taking into account federal funds used to offset the costs. The fees established under this section shall be designed to generate revenue not exceeding appropriated levels of funding for the current fiscal year. At a minimum, the fees established under this section shall be sufficient to adequately fund pipeline inspection personnel, the timely review of pipeline safety and integrity plans, the timely development of spill response plans, the timely development of accurate maps of pipeline locations, participation in federal pipeline safety efforts to the extent allowed by law, and the staffing of the citizens committee on pipeline safety.

(c) Increases in the aggregate amount of fees over the immediately preceding fiscal year are subject to the requirements of RCW 43.135.055.

(2) The commission shall by rule establish the methodology it will use to set the appropriate fee for each entity subject to this section. The methodology shall provide for an equitable distribution of program costs among all entities subject to the fee. The fee methodology shall provide for:

(a) Direct assignment of average costs associated with annual standard inspections, including the average number of inspection days per year. In establishing these directly assignable costs, the commission shall consider the requirements and guidelines of the federal government, state safety standards, and good engineering practices; and

(b) A uniform and equitable means of estimating and allocating costs of other duties relating to inspecting pipelines for safety that are not directly assignable, including but not limited to design review and construction inspections, specialized inspections, incident investigations, geographic mapping system design and maintenance, and administrative support.

(3) The commission shall require reports from those entities subject to this section in the form and at such time as necessary to set the fees. After considering the reports supplied by the entities, the commission shall set the amount of the fee payable by each entity by general order entered before a date established by rule.

(4) For companies subject to RCW 80.24.010, the commission shall collect the pipeline safety fee as part of the fee specified in RCW

80.24.010. The commission shall allocate the moneys collected under RCW 80.24.010 between the pipeline safety program and for other regulatory purposes. The commission shall adopt rules that assure that fee moneys related to the pipeline safety program are maintained separately from other moneys collected by the commission under this chapter.

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

(6) The commission shall keep accurate records of the costs incurred in administering its gas pipeline safety program, and the records are open to inspection by interested parties. The records and data upon which the commission's determination is made shall be prima facie correct in any proceeding to challenge the reasonableness or correctness of any order of the commission fixing fees and distributing regulatory expenses.

(7) If any entity seeks to contest the imposition of a fee imposed under this section, that entity shall pay the fee and request a refund within six months of the due date for the payment by filing a petition for a refund with the commission. The commission shall establish by rule procedures for handling refund petitions and may delegate the decisions on refund petitions to the secretary of the commission.

(8) After establishing the fee methodology by rule as required in subsection (2) of this section, the commission shall create a regulatory incentive program for pipeline safety programs in collaboration with the citizens committee on pipeline safety. The regulatory incentive program created by the commission shall not shift costs among companies paying pipeline safety fees and shall not decrease revenue to pipeline safety programs. [2009 c 91 s 1; 2001 c 238 s 2.]

Intent—Finding—2001 c 238: "The intent of this act is to ensure a sustainable, comprehensive, pipeline safety program, to protect the health and safety of the citizens of the state of Washington, and [to] maintain the quality of the state's environment. The legislature finds that public safety and the environment are best protected by securing permanent funding for this program through establishment of a regulatory fee imposed on hazardous liquids and gas pipelines." [2001 c 238 s 1.]

Effective date—2001 c 238: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2001." [2001 c 238 s 13.]