

WSR 10-08-006**PREPROPOSAL STATEMENT OF INQUIRY
SECRETARY OF STATE**

[Filed March 25, 2010, 11:45 a.m.]

Subject of Possible Rule Making: Combined fund drive.
Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 357-55 WAC.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: In the 2010 regular session via SB 6540 the combined fund drive was transferred from the department of personnel to the office of the secretary of state and the combined fund drive committee has been eliminated.

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Tracy Workman, Special Programs Manager, P.O. Box 40244, Olympia, WA 98504-0244, (360) 704-5258, tracy.workman@secstate.wa.gov.

March 25, 2010

Steve Excell

Assistant Secretary of State

WSR 10-08-009**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**

(Economic Services Administration)

[Filed March 26, 2010, 8:28 a.m.]

Subject of Possible Rule Making: The department will amend all necessary sections in Title 388 WAC to implement annual adjustments to standards for Washington combined application program (WASHCAP) and the Washington Basic Food program. Changes include updates to the following standards for federal fiscal year 2011: Income standard, maximum allotment, maximum shelter deduction standard, standard deduction, standard utility allowances, WASHCAP shelter cost standard, and WASHCAP opt-out standard.

These changes include amendments to the following WAC sections and any related rules:

- WAC 388-450-0185 What income deductions does the department allow when determining if I am eligible for food benefits and the amount of my monthly benefits?
- WAC 388-450-0190 How does the department figure my shelter cost income deduction for Basic Food?
- WAC 388-450-0195 Utility allowances for Basic Food programs.
- WAC 388-412-0015 General information about your Basic Food allotments.
- WAC 388-478-0060 What are the income limits and maximum benefit amounts for Basic Food?
- WAC 388-492-0070 How are my WASHCAP food benefits calculated?

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.005, 74.04.050, 74.04.055, 74.04.057, 74.04.500, 74.04.510, 74.08.090, 74.08A.120.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: These standards are required by federal regulations and approved department waivers. These standards must be adjusted annually in order to determine a client's eligibility and benefit level for WASHCAP or the Washington Basic Food program.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United States Department of Agriculture, Food and Nutrition Service (FNS) annually adjust income and payment standards, the standard deduction, and maximum shelter deductions for the upcoming federal fiscal year. FNS also requires that the department adjust the food stamp utility allowance and WASHCAP standards on an annual basis. DSHS adopts the new FNS standards into administrative rule. The department adjusts WASHCAP standards as required under the department's approved waiver based on changes to the consumer price index.

The department will develop a proposed standard utility allowance for Basic Food using a survey of utility expenses in the state, information on heating costs for low-income households, and submitting proposed standards to FNS for approval. The standards approved by FNS will be adopted by the department for use in determining monthly benefits for Basic Food and WASHCAP.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Holly St. John, Policy Analyst, Community Services Division, P.O. Box 45470, Olympia, WA 98504-5470, phone (360) 725-4895, fax (360) 725-4904, e-mail holly.st.john@dshs.wa.gov.

March 26, 2010

Katherine I. Vasquez

Rules Coordinator

WSR 10-08-016**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FISH AND WILDLIFE**

[Filed March 29, 2010, 8:48 a.m.]

Subject of Possible Rule Making: A prohibition on night-hunting, with limited exceptions.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.12.047.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Nighttime hunting poses greater risks to public safety than ever before, due to popula-

tion growth and habitat loss. The department will limit night-time hunting to very specific times and places, to better ensure the public's safety.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Lori Preuss, WDFW Rules Coordinator, 600 Capitol Way North, Olympia, WA 98501-1091, phone (360) 902-2930, e-mail Lori.preuss@dfw.wa.gov. Contact by June 9, 2010. Expected proposal filing on or after June 23, 2010.

March 29, 2010

Lori Preuss
Rules Coordinator

WSR 10-08-022

PREPROPOSAL STATEMENT OF INQUIRY

DEPARTMENT OF FISH AND WILDLIFE

[Filed March 30, 2010, 10:11 a.m.]

Subject of Possible Rule Making: Defining the personal identification information required when purchasing a hunting, fishing, shellfishing, or other license issued by the department.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.32.070 and 77.04.020.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: WAC 220-55-005 says that a license document "is invalid unless the personal identification information on the license has been completed," but it does not say what personal identification information is required. This proposal will cure the omission. Defining "personal identification information," and stating that license purchasers must provide this information when buying a license, will make it easier for license buyers to know what information they must provide, and will make it easier for enforcement to identify people who unlawfully purchase or use a license.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Lori Preuss, WDFW Rules Coordinator, 600 Capitol Way North, Olympia, WA 98501-1091, phone (360) 902-2930, e-mail Lori.preuss@dfw.wa.gov. Contact by June 9, 2010. Expected proposal filing on or after June 23, 2010.

March 30, 2010

Lori Preuss
Rules Coordinator

WSR 10-08-032

PREPROPOSAL STATEMENT OF INQUIRY GAMBLING COMMISSION

[Filed March 31, 2010, 11:48 a.m.]

Subject of Possible Rule Making: Card rooms.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 9.46.070.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: We have received a petition for rule change from Shuffle Master requesting an amendment that would allow players to wager on the house's hand.

Process for Developing New Rule: Interested parties can participate in the discussion of this proposed change by attending a commission meeting, or contacting the agency rules coordinator at the contact information below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Susan Arland, Rules Coordinator, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3466, e-mail Susana@wsgc.wa.gov, fax (360) 486-3625.

[Meetings on] March 11, 2010, at the Lacey Community Center, 6729 Pacific Avenue S.E., Lacey, WA 98503, (360) 491-0857; on April 9, 2010, at the Red Lion Hotel, 2300 Evergreen Park Drive, Olympia, WA 98502, (360) 943-4000; and on May 14, 2010, at the Red Lion Hotel, 2525 North 20th Avenue, Pasco, WA 99301, (509) 547-0701.

March 31, 2010

Susan Arland
Rules Coordinator

WSR 10-08-033

PREPROPOSAL STATEMENT OF INQUIRY GAMBLING COMMISSION

[Filed March 31, 2010, 11:50 a.m.]

Subject of Possible Rule Making: Card rooms.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 9.46.070.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: We have received a petition for rule change from Great American Gaming Corporation requesting an amendment to rules regarding progressive jackpot card games.

Process for Developing New Rule: Interested parties can participate in the discussion of this proposed change by attending a commission meeting, or contacting the agency rules coordinator at the contact information below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Susan Arland, Rules Coordinator, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3466, e-mail Susana@wsgc.wa.gov, fax (360) 486-3625.

[Meetings on] March 11, 2010, at the Lacey Community Center, 6729 Pacific Avenue S.E., Lacey, WA 98503, (360) 491-0857; on April 9, 2010, at the Red Lion Hotel, 2300 Evergreen Park Drive, Olympia, WA 98502, (360) 943-4000;

and on May 14, 2010, at the Red Lion Hotel, 2525 North 20th Avenue, Pasco, WA 99301, (509) 547-0701.

March 31, 2010
Susan Arland
Rules Coordinator

WSR 10-08-048
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF LICENSING

[Filed April 5, 2010, 7:40 a.m.]

Subject of Possible Rule Making: Chapter 308-96A WAC, Vehicle licenses, to include but not limited to WAC 308-96A-099.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.01.110.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rule making may be required to comply with SSB 6346 of the 61st legislature 2010 regular session.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: The department of licensing (DOL) welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DOL will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Dale R. Brown, Management Analyst, Vehicle Services, Mailstop 48205, P.O. Box 2956, Olympia, WA 98507-2957, or by phone (360) 902-4020, fax (360) 902-7821 or 902-7822, TTY (360) 664-8885, e-mail DBROWN@dol.wa.gov.

April 5, 2010
Walt Fahrer
Rules Coordinator

WSR 10-08-052
PREPROPOSAL STATEMENT OF INQUIRY
OFFICE OF
INSURANCE COMMISSIONER

[Insurance Commissioner Matter No. R 2010-03—Filed April 5, 2010, 4:24 p.m.]

Subject of Possible Rule Making: Excess flood or business interruption insurance market assistance plan.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.02.60 [48.02.060] and sections 14 and 15, chapter 230, Laws of 2010.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Chapter 230, Laws of 2010, provides that the commissioner must by rule establish a mar-

ket assistance plan to assist persons located in the geographical area protected by any dam that are unable to purchase excess flood or business interruption insurance in an adequate amount from either the admitted or nonadmitted market. The commissioner proposes developing rules to establish this market assistance plan so that excess flood insurance and business interruption insurance is available for sale and issue.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Submit written comments by May 20, 2010, to Chris Carlson, P.O. Box 40258, Olympia, WA 98504-0258, e-mail ChrisCA@oic.wa.gov, fax (360) 586-3109.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Chris Carlson, P.O. Box 40258, Olympia, WA 98504-0258, e-mail ChrisCA@oic.wa.gov, fax (360) 586-3109.

April 5, 2010
Mike Kreidler
Insurance Commissioner

WSR 10-08-064
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF ECOLOGY

[Filed April 6, 2010, 9:07 a.m.]

The department of ecology withdraws the CR-101 pre-proposal statement of inquiry, WSR 08-15-171, filed on July 23, 2008, chapter 173-441 WAC, Reporting of emissions of greenhouse gases.

The department of ecology will file another CR-101 that references the new authorizing statute, chapter 146, Laws of 2010, SSB 6373. This new filing will clarify the department's statutory authority for the rule making and redefine the focus of the rule. The CR-102 proposed rule making for chapter 173-441 WAC (WSR 09-19-109) expires on April 6, 2010, and will be automatically withdrawn at that time.

Stuart A. Clark
Air Quality Program Manager

WSR 10-08-067
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed April 6, 2010, 11:35 a.m.]

Subject of Possible Rule Making: Chapter 296-126 WAC, Standards of labor for the protection of the safety, health and welfare of employees for all occupations subject to chapter 49.12 RCW.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 49.12 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The rule making is to clarify the meal and rest break rules as a result of current case law such as *Wingert v. Yellow Freight*, 146 Wn.2d 841 (2002) and *Alvarez v. IBP*, 339 F.3d 894 (9th Cir. 2003). The rules need to be clarified so employees and employers understand their rights and duties, respectively, for meal and rest periods.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Parties interested in these rules may contact the individual listed below. The public may also participate by commenting after amendments are proposed by providing written comments and/or testimony during the public hearing and comment process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Sally Elliott, Department of Labor and Industries, Specialty Compliance Services Division, P.O. Box 44400, Olympia, WA 98504-4400, phone (360) 902-6411, fax (360) 902-5292, e-mail yous235@lni.wa.gov.

April 6, 2010

Judy Schurke

Director

WSR 10-08-075

PREPROPOSAL STATEMENT OF INQUIRY UTILITIES AND TRANSPORTATION COMMISSION

[Docket U-100522—Filed April 6, 2010, 1:23 p.m.]

Subject of Possible Rule Making: The Washington utilities and transportation commission (commission) commences this inquiry to examine if it should adopt new or modified regulations to address declines in revenue as a result of utility promoted conservation or any other causes. In addition to exploring the possible adoption of rules, the commission will examine other means of policy expression on this general subject, including a possible interpretative and policy statement under RCW 34.05.230(1).

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 80.01.040, 80.04.160, 34.05.220, [34.05].-230.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The commission has examined decoupling mechanisms and conservation incentive mechanisms in several rate cases and other proceedings. Utility-specific proceedings, with their narrow sets of circumstances, may not be the proper vehicle for the commission to consider a full range of policy options.

This inquiry will focus on the need for rules, both substantive and procedural, addressing the issue of lost revenue due to gas or electric utility-sponsored conservation and other causes of conservation. The commission will examine, with the participation and assistance of utilities, representatives of ratepayers, and other stakeholders, the following topics, among others:

- The various mechanisms available for addressing declines in revenues due to conservation and the pros and cons of each;
- The various mechanisms for providing an incentive for utility-sponsored conservation programs and the pros and cons of each;
- How such mechanisms may affect the conservation achieved by the various utility programs;
- How the conservation achieved can best be evaluated, measured, and verified;
- The impact of lost revenue recovery mechanisms and conservation incentives on utility rates; and
- The need for rules or other statements of policy given existing requirements in law, rule, and commission practice for utilities to achieve conservation.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Under E2SHB 2658, signed into law on April 1, 2010, and pursuant to a directive from the governor, the Washington department of commerce will develop an energy strategy for the state of Washington. Pursuant to section 403 of that legislation, the strategy must be guided by the principle to "[p]ursue all cost-effective energy efficiency and conservation as the state's preferred energy resource, consistent with state law." The commission envisions working closely with the department of commerce in the development of the state's energy strategy as well as in this inquiry.

Process for Developing New Rule: Agency study; and the commission will ask for initial written comments, and will provide the opportunity for participation in two work sessions as well as opportunities for additional comments.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Interested persons may file comments with the Secretary, Washington Utilities and Transportation Commission, P.O. Box 47250, 1300 South Evergreen Park Drive S.W., Olympia, WA 98504-7250, phone (360) 664-1174, fax (360) 586-1150, by 5:00 p.m., Friday, June 4, 2010.

WRITTEN COMMENTS AND STAKEHOLDER WORK SESSIONS: Written comments may be submitted to the commission at the address given above and should be filed with the commission no later than **June 4, 2010**. Reply comments may be filed no later than **June 18, 2010**. There also will be opportunity to participate in at least two work sessions, on **May 4, 2010**, and **June 29, 2010**, related to this inquiry. A proposed "statement of issues" may be submitted by **April 23, 2010**, by interested parties for the commission to consider during the work sessions. Notice of these work sessions, and other opportunities to participate, will be distributed by notice to persons wishing to be included on the service list and posted on the commission's web site.

The commission requests that comments be provided in electronic format to enhance public access, for ease of providing comments, to reduce the need for paper copies, and to facilitate quotations from the comments. Comments may be submitted by e-mail to the commission's records center at records@wutc.wa.gov. Please include:

- The docket number of this proceeding (U-100522).
- The commenting party's name.

- The title and date of the comment or comments.

An alternative method for submitting comments may be by mailing/delivering an electronic copy on a 3 1/2 inch, IBM-formatted, high-density disk, in .pdf Adobe Acrobat format or in Word 97 or later. Include all of the information requested above. The commission will post on the commission's web site all comments that are provided in electronic format. The web site is located at www.utc.wa.gov/100522. If you are unable to file your comments electronically or to submit them on a disk, the commission will always accept a paper document.

Information about the schedule and other aspects of the rule making, including comments, will be posted on the commission's web site as it becomes available. If you wish to receive further information on this rule making you may (1) call the commission's records center at (360) 664-1234, (2) e-mail the commission at records@wutc.wa.gov, or (3) mail written comments to the address above to the attention of David W. Danner, executive director and secretary. When contacting the commission, please refer to Docket U-100522 to ensure that you are placed on the appropriate service list. Questions may be addressed to Steve Johnson, (360) 664-1346 or e-mail at sjohnson@utc.wa.gov.

NOTICE

TO CONTINUE RECEIVING NOTICES AND INFORMATION ABOUT THIS RULE MAKING—the commission wants to ensure its mailings are sent to persons who are interested in the topic and want to receive that information. ANY PERSON WHO COMMENTS will continue to receive notices and information. If you do not submit comments but wish to remain on the mailing list for this rule making, please advise the records center by any one of the following methods: (1) Send a note with your name, address (or a copy of your mailing label), and telephone and fax numbers referencing Docket U-100522, and the words "Please keep me on the mailing list"; or (2) e-mail your name, address, telephone and fax numbers, referencing Docket U-100522, and the words "Please keep me on the mailing list" to records@wutc.wa.gov. Please note that all information in the mailings will be accessible through the commission's internet web site at <http://www.wutc.wa.gov/100522>. **THOSE PARTIES WHO DO NOT RESPOND MAY NOT RECEIVE FURTHER MAILINGS OR INFORMATION ON THE RULE MAKING.**

April 6, 2010
David W. Danner
Executive Director and Secretary

WSR 10-08-079

**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**
(Health and Recovery Services Administration)
[Filed April 6, 2010, 2:44 p.m.]

Subject of Possible Rule Making: The division of behavioral health and recovery (DBHR) is developing a new

chapter to provide services for problem and pathological gambling treatment programs.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.20A.890, 74.08.090.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department will create a new chapter 388-816 WAC to address agency certification and implementation of the problem and pathological gambling treatment program. Without these rules on July 1, 2010, counselors within DBHR certified agencies would no longer be able to provide problem and pathological treatment services.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Linda Graves, Division of Behavioral Health and Recovery, P.O. Box 45330, Olympia, WA 98504-5330, phone (360) 725-3813, fax 586-0341, TTY 1-800-848-5429, e-mail Linda.Graves@dshs.wa.gov.

April 6, 2010
Katherine I. Vasquez
Rules Coordinator

WSR 10-08-080

**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**
(Health and Recovery Services Administration)
[Filed April 6, 2010, 2:50 p.m.]

Subject of Possible Rule Making: WAC 388-424-0009 Citizenship and alien status—Social Security number (SSN) requirements, 388-424-0010 Citizenship and alien status—Eligibility restrictions for TANF, nonemergency medicaid, and SCHIP, and possibly other related rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.08.090, Children's Health Insurance Program Reauthorization Act (CHIPRA) of 2009, Public Law 111-3, Section 214.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Recently passed federal legislation pertaining to CHIPRA includes adding certain PRUCOL (permanently residing under color of law) aliens in the group eligible for pregnancy medical and children's medical. The department is also updating and clarifying current language by adding apple health for kids and renaming state children's health insurance program (SCHIP) as children's health insurance program (CHIP).

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Kathy Sayre, P.O. Box 45504, Olympia, WA 98504-5504, (360) 725-1342, fax (360) 586-9727, TTY 1-800-848-5429, e-mail kathy.sayre@dshs.wa.gov.

April 6, 2010
Katherine I. Vasquez
Rules Coordinator

WSR 10-08-094

PREPROPOSAL STATEMENT OF INQUIRY UTILITIES AND TRANSPORTATION COMMISSION

[Docket U-100523—Filed April 7, 2010, 8:02 a.m.]

Subject of Possible Rule Making: The subject of this inquiry is to consider whether the utilities and transportation commission (UTC) should develop a new rule and/or modify existing rules in chapter 480-90 WAC, Gas companies and chapter 480-100 WAC, Electric companies, to address the use of electronic bills, notices of tariff revisions, bill inserts, documents in adjudicative proceedings, and reports required by settlement stipulations. The rule making has been assigned Docket U-100523.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 80.01.040 and 80.04.160.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The UTC is responsible for protecting consumers by ensuring that investor-owned utility services are fairly priced, available, and reliable and by improving the flow of information to allow for more customer choices. E-mailing of bills is not provided for in the Washington Administrative Code rules (chapters 480-90 and 480-100 WAC). In lieu of required use of paper copies, companies want to have an option to provide customers or other interested persons electronic bills, notices of tariff revisions, bill inserts, adjudicative proceeding documents, and reports required by settlement stipulations. This may, among other things, save mailing and printing costs.

Process for Developing New Rule: Agency study; and the commission will ask for initial written comments and conduct such other process as necessary to gather the information necessary to determine whether rules should be proposed or modified.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Interested persons may file comments with the Executive Director, Washington Utilities and Transportation

Commission, P.O. Box 47250, 1300 South Evergreen Park Drive S.W., Olympia, WA 98504-7250, phone (360) 664-1174, fax (360) 586-1150, web portal at www.utc.wa.gov/e-filing, or through e-mail at records@utc.wa.gov, by 5:00 p.m., Monday, May 10, 2010.

WRITTEN COMMENTS: Written comments may be submitted to the commission at the address given above and should be filed with the commission no later than Monday, May 10, 2010.

Electronic copies, the commission requests that comments be provided in electronic format to enhance public access, for ease of providing comments, to reduce the need for paper copies, and to facilitate quotations from the comments. Comments may be submitted via the commission's web portal at www.utc.wa.gov/e-filing or by electronic mail to the commission's records center at records@utc.wa.gov. Please include:

- The docket number of this proceeding (U-100523).
- The commenting party's name.
- The title and date of the comment or comments.

An alternative method for submitting comments may be by mailing/delivering an electronic copy on a 3 1/2 inch, IBM-formatted, high-density disk, in .pdf Adobe Acrobat format or in Word 97 or later. Include all of the information requested above. The commission will post on the commission's web site all comments that are provided in electronic format. The web site is located at <http://www.utc.wa.gov/100523>. If you are unable to file your comments electronically or to submit them on a disk, the commission will always accept a paper document.

Opportunity for further comment is anticipated. Information about the schedule and other aspects of the rule making, including comments, will be posted on the commission's web site as it becomes available. If you wish to receive further information on this rule making you may (1) call the commission's records center at (360) 664-1234, (2) e-mail the commission at records@utc.wa.gov, or (3) mail written comments to the address above to the attention of David W. Danner, executive director and secretary. When contacting the commission, please refer to Docket U-100523 to ensure that you are placed on the appropriate service list. Questions may be addressed to Roger Kouchi, (360) 664-1101 or e-mail at rkouchi@utc.wa.gov.

NOTICE

TO CONTINUE RECEIVING NOTICES AND INFORMATION ABOUT THIS RULE MAKING - the commission wants to ensure its mailings are sent to persons who are interested in the topic and want to receive that information. ANY PERSON WHO COMMENTS will continue to receive notices and information. If you do not submit comments but wish to remain on the mailing list for this rule making, please advise the records center by any one of the following methods: (1) Send a note with your name, address (or a copy of your mailing label), and telephone and fax numbers referencing Docket U-100523, and the words "Please keep me on the mailing list"; or (2) e-mail your name, address, telephone and fax numbers, referencing Docket U-100523, and the words "Please keep me on the mailing list" to records@utc.wa.gov. Please

note that all information in the mailings will be accessible through the commission's internet web site at <<http://www.utc.wa.gov/100523>>. **THOSE INTERESTED PERSONS WHO DO NOT RESPOND MAY NOT RECEIVE FURTHER MAILINGS OR INFORMATION ON THE RULE MAKING.**

April 7, 2010
David W. Danner
Executive Director and Secretary

WSR 10-08-095
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF LICENSING

[Filed April 7, 2010, 8:09 a.m.]

Subject of Possible Rule Making: Chapter 308-56A WAC, Certificates of title—Motor vehicles, etc., including but not limited to new WAC 308-56A-206.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.01.110.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rule making may be required to clarify the process when a customer presents a Washington title and there is not an existing Washington record on file in the database with the department.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: The department of licensing (DOL) welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DOL will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Dale R. Brown, Management Analyst, Vehicle Services, Mailstop 48205, P.O. Box 2956, Olympia, WA 98507-2957, or by phone (360) 902-4020, fax (360) 902-7821 or 902-7822, TTY (360) 664-8885, e-mail DBROWN@dol.wa.gov.

April 7, 2010
Walt Fahrer
Rules Coordinator