

Mission Statement:

The UTC protects consumers by ensuring that utility and transportation services are fairly priced, available, reliable, and safe.



Washington Utilities and Transportation Commission

Public Involvement

Prepared for: The Kyrgyz Republic SEA

Penny Hansen

Thomas Schooley

December 2003

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Washington Utilities and Transportation Commission

Public Involvement I

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Managing Public Involvement

A. Introduction - 1



- Public involvement is a form of political involvement.
- People are the foundation of government in Washington state:
 - “All political power is inherent in the people, and governments derive their just powers from the consent of the governed, and are established to protect and maintain individual rights.” Washington Constitution, Article 1, section1.
- Thus, Washington ratepayers, voters, and citizens are both our ultimate “boss”, as well as our customers.

Managing Public Involvement

A. Introduction - 2



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- The Commission follows guidelines for public involvement in state and federal Constitutions
 - “Due process of law” is particularly important: people who may be affected by an action have a right to receive notice about the action, and a right to be heard by the decision maker.
 - Our general objective is to provide information so the public – especially affected ratepayers - know what is happening, and can decide whether or not to become involved further.

Managing Public Involvement

B. Exchanging Information - 1



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- We have several ways of providing information to the public:
 - We maintain lists of “interested persons” for various industries and topics.
 - People can ask to be notified about agendas for Open Meetings, or information about a particular company or hearing
 - UTC maintains a website (www.wutc.wa.gov) that explains, in non-technical language, what companies propose in major tariff filings.
 - Web pages also provide information about hearings, rule making, and other important regulatory activities.

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B. Exchanging information - 2



- Ratepayers may contact us with comments about tariff filings in several ways:
 - Letters,
 - Telephone, and
 - Email to comments@wutc.wa.gov (via web site).
- UTC Public Affairs staff create mailing list of customers who provide their name and address.
- We use the mailing list for subsequent correspondence and communication with these customers.

Managing Public Involvement

B. Exchanging information – 2

Example of Correspondence from WUTC to Interested Party



Docket Number: UE-011211

September 11, 2001

Dear Interested Person:

Thank you for contacting the Washington Utilities and Transportation Commission (UTC) regarding the proposal filed by Puget Sound Energy. This letter explains the Commission's process and notifies you of the next opportunity to provide public comment.

During staff's investigation into the company's request, customer input is very important to the Commission. All written comments are included in the formal record. Customer comments are passed on to Commission staff investigating the request and then to the Commissioners. Many times customers alert the Commission of service or rate issues. In this way, the Commission and the public form a partnership in gathering all relevant information pertaining to your regulated company.

This case is scheduled to be presented at the Commission's open meeting on September 26, 2001 at 9:30 a.m. at 1300 South Evergreen Park Drive SW, in Olympia.

State law requires rates to be fair and reasonable for customers, but high enough to allow the company a chance to earn a fair profit. The UTC can set service standards and can penalize the companies for poor service, but it cannot deny rates that are needed to cover legitimate costs. Rates are based on each company's specific cost structure and are not based on what customers of other companies pay.

What are the steps of a rate proposal?

- The company files a rate proposal and necessary financial information with the UTC and notifies its customers of the pending proposal and how it may affect them. By law, rates may go into effect in 30 days unless the Commission suspends (places on hold) the proposal for further investigation.
- UTC staff reviews the company's financial information, making adjustments for expenses that are too high, for one-time expenditures and for expenses that should not be charged to customers (such as political donations). Based on staff's review, if the request has been justified, staff will recommend that the Commission allow the increase. If staff believes the need for additional money has not been proven, it will recommend that the Commission suspend the rate increase and set the matter for a formal hearing or that the increase be modified to a lower level that has been determined by staff to be appropriate.
- Before the 30-day period lapses, the Commission decides whether to approve the increase at one of its regularly scheduled public meetings. At the open meeting, staff presents its recommendation and a summary of previously received customer comments. Customers are invited to speak next, and then the representatives from the company make their presentation.

Managing Public Involvement

B. Exchanging information – 2

Example of Correspondence from WUTC to Interested Party cont'd



- Based on the information presented, the Commission may decide to approve the request as filed, approve staff-revised rates, suspend the filing for further investigation or suspend the filing and set it for a formal hearing process where expert testimony is taken.

If you are experiencing service-related problems, you should contact your company. You can find your company's telephone number listed on your bill or in the phone book. It is important that you first give the company a chance to correct the situation. If your company does not respond to your inquiry to your satisfaction, you may contact our consumer complaint representatives at 1-800-562-6150, select option number three and wait for the first available representative.

For your own copy of the company's filing, you may contact our Public Records Request staff at 360-664-1299. For a free brochure, Smart Consumer Guide, on your rights and responsibilities as a regulated utility customer, you may call 360-664-1151 or visit our webpage at <http://www.wutc.wa.gov>.

If you have already written to the Commission to express your views, your comments will be included in the formal record. If you have not written and would like to comment, please include your name, mailing address, the name of the company (PSE), and docket number (011211). The Commission's mailing address is:

Secretary
Washington Utilities and Transportation Commission
P.O. Box 47250
Olympia, Washington 98504-7250

Comments can also be sent via:

Fax: (360) 586-1150

or Email: Public Comment@wutc.wa.gov

If you have further questions about the Commission's open meeting process, please call our Public Affairs office toll-free voice messaging system at 1-800-562-6150, select option number two and leave a detailed message. We will return your call as soon as possible.

Sincerely,

Penny Hansen
Public Involvement Coordinator

Managing Public Involvement

C. Tariff Filing - 1



- A company must provide notice to customers of intent to increase rates or restrict access to services.
- Notice must be given at least thirty days before the effective date requested by the company.
- Companies have three options for giving notice:
 - Provide notice to individual customers (usually in the customer's bill);
 - Publish notice within geographical areas where company serves (usually in a general circulation newspaper);
 - Reduced publication with shortened notice to individual customers. This option includes posting notice, at least 15-day notice prior to effective date to affected customers, and a media campaign to advertise in radio and newspapers.
 - Citation: WAC 480-100-194

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C. Tariff Filing 1 – Example of Company Notice



Important Notice for Residential and Small-Farm Electric Customers of Puget Sound Energy

Puget Sound Energy on Jan. 15, 2003, filed with the Washington Utilities and Transportation Commission (WUTC) a request to modify the rate of a federal bill credit received by the utility's residential and small-farm customers. This "Energy Exchange Credit" represents the customers' share of public benefit from the Columbia River Basin's federally owned hydropower dams. The Bonneville Power Administration (BPA), marketer of the Northwest's federal electricity, provides the monthly credit under a contract with Puget Sound Energy (PSE).

PSE is proposing that the credit's rate be reduced to 1.74 cents per kilowatt-hour. Presently, eligible PSE customers receive a bill credit from BPA of 1.817 cents for each kilowatt-hour of electricity they consume. The PSE rate filing is a response to BPA's request to defer a portion of its credit payments to PSE customers from mid-February through September 2003. Absent certain BPA rate adjustments in the future, the deferred credit benefits would be paid back to PSE customers, with interest, over a 60-month period beginning November 2006.

If this credit reduction is authorized by the WUTC, the monthly bill for an average PSE residential customer (using 1,000 kilowatt-hours of electricity) will increase by about 75¢ per month, or about 1.3%. The actual increase would vary based on customer usage. PSE is requesting that the rate change take effect Feb. 15, 2003.

PSE's request is a proposal, subject to public review and a decision by the WUTC. Questions or comments may be made to the WUTC by mail at: P.O. Box 47250, Olympia, WA 98504; by e-mail at: comments@wutc.wa.gov, or by fax at 360-664-3604. More information may be available at www.wutc.wa.gov or by calling the WUTC at 1-800-562-6150. A copy of PSE's filing is available for public review at the offices of the WUTC and by telephone request to 1-888-225-5773. A copy of the filing is also available on PSE's Web site at www.pse.com under "Rate Book," then "Pending Filings Before the WUTC."

If you would like information about this filing visit PSE's Web site at www.pse.com, or call PSE at 1-888-225-5773. 10

Managing Public Involvement

C. Tariff filing - 2



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- After customers receive notice, some may contact UTC Public Affairs staff with concerns about the proposal or problems with service quality.
 - Communications are reviewed for possible consumer complaints (which are forwarded to Consumer Affairs staff), and for other comments.
 - Our Public Involvement Coordinator responds to every customer who contacts us.
 - We tell customers the date when the proposal will be considered by the Commission, and that they have an opportunity to comment at that meeting.

Managing Public Involvement

C. Tariff Filing - 3



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- Public Involvement Coordinator (PIC) shares public comments with Commission Regulatory Staff for consideration during its investigation of the proposal
 - In cases with lots of public comment, the Public Involvement Coordinator and Regulatory Staff will offer to host a public informational meeting in the company's service territory before the open public meeting.
 - The PIC writes a summary of comments and findings, which is included in Regulatory Staff's memo to Commissioners.

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C. Tariff Filing –

Rule Requiring Utility Notice of Tariff Changes



WAC 480-100-194 Publication of proposed tariff changes to increase charges or restrict access to services. Each electric utility offering service under tariff must publish 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 or per-occurrence charges 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 [480-100-195](#). 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 [480-100-197](#).

(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 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.

(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 it 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 electric 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 website accessible to the public using generally available browser software.

Managing Public Involvement

C. Tariff Filing –

Rule Requiring Utility Notice of Tariff Changes – cont'd



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

Managing Public Involvement

C. Tariff Filing –

Rule Requiring Utility Notice of Tariff Changes – cont'd



- (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 electric customer using an average of 1,500 kwhs per month would see an average monthly increase of \$10.38.");
 - (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 e-mail; 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.
- [Statutory Authority: RCW [80.01.040](#) and [80.04.180](#). 02-11-081 (Docket No. U-991301, General Order No. R-498), § 480-100-194, filed 5/14/02, effective 6/17/02.]

Managing Public Involvement

D. Open Meetings - 1



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- The Commission makes decisions at an open public meeting held every other Wednesday morning. (Special meetings may also be scheduled).
 - The Commission publishes an agenda ahead of time listing all cases that will be considered at that meeting. This provides notice to interested persons about what decision makers will be considering.
 - This meeting follows the same format as State Legislature hearings. (Note: the format is different than judicial-style hearings).

Managing Public Involvement

D. Open Meetings - 2



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- At the meeting, all participants - public and industry – are asked to sign in and inform the Commission of their interest in a specific item.
 - The Chairwoman convenes the meeting and asks if there are any changes to the agenda.
 - The first item of business is the Consent Agenda: non-controversial filings that are approved with a single motion.
 - The Chairwoman asks if anyone would like to comment on any of the items listed on the Consent Agenda. If so, that item is placed on the regular agenda of the meeting and considered then.

Managing Public Involvement

D. Open Meetings - 3



- The next order of business is the regular agenda.
- Each item on the regular agenda follows these steps:
 - The UTC Regulatory Staff who investigated the company's proposal gives a presentation summarizing their findings and recommendation, and answers any Commissioner questions.
 - A company representative has an opportunity to present the company's position and answer any questions.
 - The Chairwoman has the sign-in sheet of people interested in speaking on that issue. Each person has an opportunity present their issues and concerns with the company's proposal. If there are many people, the Commission may set a time limit on each presentation, usually 3 to 5 minutes.

Managing Public Involvement

D. Open Meetings - 4



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- Only after all parties have had an opportunity to be heard do Commissioners discuss the filing and comments they heard, and make a decision.
 - Decisions are in the form of a motion by one Commissioner to accept the filing. A “second” to the motion constitutes a majority.
 - If members of the public are present, the Public Involvement Coordinator and Regulatory Staff offer to meet with the citizens and answer questions after the meeting.
 - After the decision, Public Affairs staff writes a letter to customers summarizing what the Commission decided and why.




Managing Public Involvement


D. Open Meetings –

Example of Open Meeting Schedule for 2004

WUTC 2004 OPEN MEETING DATES

S M T W T F S	S M T W T F S	S M T W T F S	S M T W T F S
JANUARY	FEBRUARY	MARCH	APRIL
<div>1</div> <div>4 5 6 7 8 9 10</div> <div>11 12 13 14 15 16 17</div> <div>18 19 20 21 22 23 24</div> <div>25 26 27 28 29 30 31</div>	<div>1 2 3 4 5 6 7</div> <div>8 9 10 11 12 13 14</div> <div>15 16 17 18 19 20 21</div> <div>22 23 24 25 26 27 28</div> <div>29</div>	<div>1 2 3 4 5 6</div> <div>7 8 9 10 11 12 13</div> <div>14 15 16 17 18 19 20</div> <div>21 22 23 24 25 26 27</div> <div>28 29 30 31</div>	<div>1 2 3</div> <div>4 5 6 7 8 9 10</div> <div>11 12 13 14 15 16 17</div> <div>18 19 20 21 22 23 24</div> <div>25 26 27 28 29 30</div>
MAY	JUNE	JULY	AUGUST
<div>1</div> <div>2 3 4 5 6 7 8</div> <div>9 10 11 12 13 14 15</div> <div>16 17 18 19 20 21 22</div> <div>23 24 25 26 27 28 29</div> <div>30</div>	<div>1 2 3 4 5</div> <div>6 7 8 9 10 11 12</div> <div>13 14 15 16 17 18 19</div> <div>20 21 22 23 24 25 26</div> <div>27 28 29 30</div>	<div>1 2 3</div> <div>4 5 6 7 8 9 10</div> <div>11 12 13 14 15 16 17</div> <div>18 19 20 21 22 23 24</div> <div>25 26 27 28 29 30 31</div>	<div>1 2 3 4 5 6 7</div> <div>8 9 10 11 12 13 14</div> <div>15 16 17 18 19 20 21</div> <div>22 23 24 25 26 27 28</div> <div>29 30 31</div>
SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER
<div>1 2 3 4</div> <div>5 6 7 8 9 10 11</div> <div>12 13 14 15 16 17 18</div> <div>19 20 21 22 23 24 25</div> <div>26 27 28 29 30</div>	<div>1 2</div> <div>3 4 5 6 7 8 9</div> <div>10 11 12 13 14 15 16</div> <div>17 18 19 20 21 22 23</div> <div>24 25 26 27 28 29 30</div> <div>31</div>	<div>1 2 3 4 5 6</div> <div>7 8 9 10 11 12 13</div> <div>14 15 16 17 18 19 20</div> <div>21 22 23 24 25 26 27</div> <div>28 29 30</div>	<div>1 2 3 4</div> <div>5 6 7 8 9 10 11</div> <div>12 13 14 15 16 17 18</div> <div>19 20 21 22 23 24 25</div> <div>26 27 28 29 30 31</div>

-  Holidays
-  Open Mtg at 9:30 a.m.
-  Open Mtg at 1:30 p.m.

-  **NARUC / WITA MTGS**
- NARUC Winter Mtg – March 7-10, Washington, D.C. / NARUC Summer Mtg – July 11-14, Salt Lake City, UT
- WITA/DITA – May 17-19, Skamania Lodge
- WCPSC Mtg – June 13-16, Anchorage, Alaska
- NARUC Annual Conf – November 14-17 Nashville, TN
- EPRI Conf - December 7-8

Managing Public Involvement

D. Open Meetings –

Example of Open Meeting Sign-in Sheet



Washington Utilities and Transportation Commission SIGN-IN SHEET			
Name	Are you representing an organization? If so, please name the company or organization.	What item(s) are you interested in?	Do you want to comment? Yes or No
Please Print			
Please Print			
Please Print			
Please Print			
Please Print			

Managing Public Involvement

D. Open Meetings – Excerpt from Open Meeting Agenda



11/12/03
01:30 PM

A. UTILITIES

Item	Docket	Company	Description
1.	UE-031353	Puget Sound Energy	Request for Proposals for Wind Power Resources in accordance with WAC 480-107-060. Staff Investigation Staff Contact: Hank McIntosh 664-1309 hmcintos@wutc.wa.gov
2.	UE-031668	Puget Sound Energy	Makes revisions to miscellaneous charges for returned checks, disconnection visits, billing initiation, connection, and reconnection. Tariff Revision Advice #: 2003-29 Staff Contact: Mert Lott 664-1312 mlott@wutc.wa.gov

B. TRANSPORTATION

Item	Docket	Company	Description
1.	TC-031687	Bremerton-Kitsap Airporter, Inc. dba: Ft. Lewis/Mcchord Airporter	Revises Tariff No. 8, reflecting discounted round-trip tickets to be sold to Pierce passengers and increased rates for Kitsap passengers of \$0.50. Annual revenue impact of \$53,710 (3.52 percent on affected Kitsap traffic, 3.03 percent on total company traffic). Tariff Revision Staff Contact: Bob Colbo 664-1247 bcolbo@wutc.wa.gov

C. OTHER (These items are not subject to the Open Meetings Act.)

Item	Docket	Company	Description
A-010648			Adoption hearing for proposed rules in Chapter 480-09 relating to Procedural Rules. Rulemaking Staff Contact: Dennis Moss 664-1164 dmoss@wutc.wa.gov

D. RECESSED

E. CONSENT

Item	Docket	Company	Description
UT-031726		Toledo Telephone Co., Inc., The	Contract for PRI Service between The Toledo Telephone Company, Inc., and the Toledo School District No. 237. Also requests exemption from WAC 480-80-142(7)(b)(iii). Contract Staff Contact: Sharyn Bate 664-1295 SBate@wutc.wa.gov

F. NO ACTION

Item	Docket	Filed	Effective	Company	Description
UW-021603		10/17/2003	11/17/2003	Kayak Point Water Co., Inc.	Compliance filing to revise tariff under new ownership by Kayak Estates Water, LLC, and to update service area designation. Application for Transfer of Property Staff Contact: Jim Ward 664-1250 jward@wutc.wa.gov

Mission Statement:

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Washington Utilities and Transportation Commission

Public Involvement II

Prepared for: The Kyrgyz Republic SEA

Thomas Schooley
December 2003

Managing Public Involvement

E. Formal Hearings - 1



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- Managing public involvement is somewhat different in judicial-style hearings.
 - The purpose of the hearing is to develop a record of facts from which the Commission can reach a decision.
 - Formal hearings follow procedures similar to a civil court, where the Commission plays the role of a judge to resolve a dispute between parties.

Managing Public Involvement

E. Formal Hearings - 2



- Formal hearings usually involve three main parties:
 - The company which has proposed the tariff change,
 - UTC regulatory staff, and
 - Public Counsel – a special office of the state Attorney General whose role is to represent the interests of ratepayers and small business customers in UTC proceedings.
 - Other parties with a legitimate interest in the case may be allowed to participate.
- Hearings follow formal rules: parties are represented by attorneys, evidence is marked, parties cross-examine witnesses, etc.
- A court reporter transcribes testimony, which, along with exhibits, forms the formal record from which the Commission makes a decision.

Managing Public Involvement

E. Formal Hearings - 3



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- When UTC Public Affairs staff receives public correspondence about a formal hearing, they forward it to Public Counsel
 - Public Counsel collects public comments and enters it as an exhibit in the case to demonstrate public sentiment.
 - UTC Public Affairs also sends notice to members of the public, educating them about the formal hearing process and what to expect.

Managing Public Involvement

E. Formal Hearings - 4



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- In major cases, the Commission may hold a hearing in the company's service area to obtain public comment about the proposal and the company's quality of service.
 - UTC Public Affairs staff arranges a room for the public hearing, and sends a notice about the date, time and location of that hearing to people that contacted us.
 - At the hearing, Public Affairs staff provide information about what to expect and how to testify.
 - After the final Commission decision, Public Affairs staff write a letter informing interested people about the outcome.

Managing Public Involvement

F. Adopting Rules - 1



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- The Commission is authorized to adopt administrative laws (known as “rules”).
 - Public involvement is an important part of rule making in Washington.
 - State law requires all state agencies considering new or amended rules to first get comments on their proposal from interested people, and to respond to comments they receive.

Managing Public Involvement

F. Adopting Rules - 2



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- The UTC solicits comments from a variety of interests, including companies, Public Counsel, organizations representing low-income ratepayers, and other organizations representing public interests.
 - We usually hold workshops (day-long or half-day meetings) to discuss objectives of proposed rules, possible concerns, and to find ways to address concerns while meeting our objectives.
 - In some cases, members of the general public attend workshops and contribute to the discussion.
 - Members of the public may also submit written comments on draft rules.