



PROPOSED RULE MAKING

CR-102 (June 2004)

(Implements RCW 34.05.320)

Do **NOT** use for expedited rule making

Agency: Department of Revenue

Preproposal Statement of Inquiry was filed as WSR 05-16-025 ; or
 Expedited Rule Making--Proposed notice was filed as WSR ; or
 Proposal is exempt under RCW 34.05.310(4).

Original Notice
 Supplemental Notice to WSR
 Continuance of WSR

Title of rule and other identifying information: WAC 458-20-17902 Brokered natural gas -- Use tax. RCW 82.12.022 and 82.14.230 impose state and local use taxes on the use of natural gas or manufactured gas by a consumer, if the person who sold the gas to the consumer has not paid public utility tax with respect to the gas. This use tax is imposed only for natural gas delivered to a consumer through a pipeline, and the tax rate that applies is the same rate as the state and city public utility taxes. Rule 17902 explains how this use tax applies and the reporting requirements.

Hearing location(s):
Capitol Plaza Building
4th Floor – Large L&P Conference Room
1025 Union Avenue SE
Olympia, Washington 98504

Date: December 5, 2006 Time: 1:30 P.M.

Date of intended adoption: December 12, 2006
(Note: This is **NOT** the **effective** date)

Submit written comments to:
Name: Pat Moses
Address: Post Office Box 47453
Olympia, Washington
98504-7453
e-mail PatM@dor.wa.gov
fax (360) 586-5543
by (date) December 5, 2006

Assistance for persons with disabilities: Contact Sandy Davis at (360) 725-7499 no later than 10 days before the hearing date. Deaf and hard of hearing individuals may call 1-800-451-7985 (TTY users).

Purpose of the proposal and its anticipated effects, including any changes in existing rules: Consumers currently report and pay this use tax on a separate "natural gas use tax return." The Department is considering a revision to Rule 17902, so that the "natural gas use tax return" can be incorporated into the excise tax return and reported with the other taxes included on that return, such as the business and occupation (B&O) and public utility taxes.

Reasons supporting proposal: The proposed change allows increased efficiency in the reporting and processing of the tax.

Statutory authority for adoption: RCW 82.12.022(9), 82.32.300, and 82.01.060(2)

Statute being implemented: RCW 82.12.022 and 82.14.230

Is rule necessary because of a:

Federal Law? Yes No
Federal Court Decision? Yes No
State Court Decision? Yes No
If yes, CITATION:

Date

Name
Janis P. Bianchi

Signature

Title
Assistant Director
Interpretations and Technical Advice Division

Filed: October 31, 2006

Time: 3:34 p.m.

WSR: 06-22-083

The above information was input by DOR

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters: None

Name of proponent: (person or organization) Department of Revenue

Private
 Public
 Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Pat Moses	1025 Union Ave. SE. Ste #544, Olympia ,Wa	(360) 570-6116
Implementation.... Alan R. Lynn	1025 Union Ave. SE. Ste #544, Olympia ,Wa	(360) 570-6125
Enforcement..... Janis P. Bianchi	1025 Union Ave. SE. Ste #544, Olympia ,Wa	(360) 570-6147

Has a small business economic impact statement been prepared under chapter 19.85 RCW?

Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone

fax

e-mail

No. Explain why no statement was prepared. A small business economic impact statement is not required because the rule and the amendments do not impose any requirements or burdens upon small business that are not already required by statute.

Is a cost-benefit analysis required under RCW 34.05.328?

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone

fax

e-mail

No: Please explain: The proposed rule is not a significant legislative rule as defined by RCW 34.05.328

