

NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening whenever an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

NOTICE OF RULEMAKING DOCKET OPENING

CORPORATION COMMISSION - FIXED UTILITIES

- 1. Title and its heading:** 14, Public Service Corporations; Corporations and Associations; Securities Regulation
Chapter and its heading: 2, Corporation Commission - Fixed Utilities
Article and its heading: 1, General Provisions
Section numbers: R14-4-106

2. Subject matter of proposed rules:

In March 2000, the City of Tucson, Tucson Water Department submitted a formal request to the Corporation Commission Safety Division on behalf of Arizona Blue Stake, industry companies and public service corporations, to amend the color code for marking underground facilities. The request followed two years of conferencing to determine the best preventive means of reducing the possibilities of cross-connecting drinkable water systems with reclaimed water systems.

In April of 1999, the American Public Works Association (APWA) approved the color purple for identification of reclaimed water. The Office of Pipeline Safety has reviewed the matter and finds substantial evidence of statewide and industry support. The Commission Staff believes it would be in the best interest and safety of the public to initiate this rulemaking proceeding.

Agency docket number:

RG-00000A-00-0683

3. A citation to all published notices relating to the proceeding:

None

4. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Robert Metli
Attorney

Address: Arizona Corporation Commission
Utilities Division
1200 West Washington
Phoenix, AZ 85007

Telephone: (602) 542-3402

Fax: (602) 594-4870

5. Time during which the agency will accept written comments:

The time and place where oral and written comments may be made will be established by the Hearing Division of the Arizona Corporation Commission by procedural order following the Commissions' Decision. The date, time and place for the public comment will be posted in accordance with state law and will be mailed to those entities/individuals on the service list.

6. A timetable for agency decisions or other action on the proceeding, if known:

It is anticipated that the rules will be adopted by the Commission at a regularly scheduled or a Special Open Meeting. As soon as rules are proposed by the Commission, a procedural order will be issued to establish a timetable for written and oral comments. The notice and agenda will be posted in accordance with state law and will be mailed to those entities/individuals on the service list accompanying the Commission Decision authorizing the filing of the Notice of Proposed Rulemaking with the Office of the Secretary of State.