# ESSB 6404 Hardship Exemption Process

**For Reporting due October 1, 2020**

**June 17, 2020**

A **hardship exemption** is an event that prevents a carrier from timely submitting a response to the data call for section 1, subsections (1)(a)(iii), (b)(iii),11(c)(iii), (d)(iii), (e)(iii), or (f)(iii) of ESSB 6404. There is no extension available for the data required under all other subsections. A hardship exception must be due to **unanticipated** technical difficulties that prevent the timely preparation and submission of the data call information by the required due date. Any difficulties that could have been assessed and corrected prior to submission will not be unanticipated, this includes the current difficulties presented by COVID-19.

If a carrier experiences unanticipated technical difficulties that prevent the timely preparation and submission of the applicable data call information, the carrier may request an extension. The request must be submitted at least two weeks prior to the required due date. However, the data must be submitted by April 1, 2021 and any requests for extension may not exceed that date. Additionally, the request is only available for this year and extensions are not available for subsequent years.

A request for the hardship extension shall include, but is not limited to, the following: (1) the reason(s) for the requested time period of the extension; (2) the burden and expense that the carrier would incur if it was required to make a timely submission; (3) how is the carrier going to correct the reasons provided for requesting an extension by the extension deadline; (4) the carrier must specify a length of time for a requested extension, not to exceed April 1, 2021 and (5) the carrier’s contact information, including email address, where the OIC will send notification of approval or denial of the request.

The hardship extension shall not be deemed granted until the OIC notifies the carrier in writing by email. If the OIC denies the request for an extension, the carrier shall file a full response to the data call by the required due date. If the OIC determines that the grant of the extension is appropriate, the OIC will notify the carrier via email. The OIC may determine that the full length of the requested extension does not qualify for the hardship extension and will notify the carrier if it does not approve the full request.

To request an extension, please email market.conduct@oic.wa.gov and include the information required to request an extension. If you have any questions, please send an email to NedG@oic.wa.gov.