

UG-210823

UE-170033

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Jeff Killip
Executive Director and Secretary
Washington Utilities and Transportation Commission
621 Woodland Square Loop SE
Lacey, Washington 98503

**Re: Comments of Puget Sound Energy
Dockets UG-210823; UE-170033 and UG-170034**

Dear Director Killip,

Puget Sound Energy (PSE) submits these comments in response to the Washington Utilities and Transportation Commission's (Commission) January 31, 2025 Notice of Opportunity to File Written Comments in this docket (Notice). In the Notice, the Commission invites comments on the amended paragraphs 250 and 251 of consolidated Dockets UE-170033 and UG-170034 as well as amendments to paragraph 22 of Order 01 in Docket UG-210823.

General Comments

PSE agrees with the intention of the Commission's well-reasoned amendments in consolidated Dockets UE-170033 and UG-170034 to consider utilities in compliance with their conservation decoupling commitments when events occur beyond their reasonable control.

PSE is concerned about the specific proposed language in the Notice, in amending paragraphs 250 and 251 of consolidated Dockets UE-170033 and UG-170034 and paragraph 22 of Order 01 in Docket UG-210823, that states: "Pursuant to RCW 19.285.040..." The referenced RCW is a law applicable to electric utilities. PSE agrees that the gas decoupling commitments were structured using the electric RCW requirements as a model, however, questions whether "pursuant to" is the correct legal structure for this amendment. PSE suggests replacing "Pursuant to" with "Consistent with the similar legal requirements for electric utilities in RCW 19.285.040."

Additionally, PSE points out that the approved settlement stipulation¹ in consolidated Dockets UE-011570 and UG-011571 includes language in section 42 that provides additional

¹ Exh F, Settlement Terms for Conservation, Dockets UE-001570 and UG-001571

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justification for PSE to be considered in compliance with its gas decoupling conservation targets due to factors beyond the Company's control:

The Company may seek mitigation before the Commission of the penalty for failure to meet the conservation savings target, if the Company can demonstrate that factors occurred, after the annual targets were established, beyond the Company's control that negatively impact customer participation in its programs such as a significant local economic recession or major natural disaster. The Company may address factors in its petition, including but not limited to the following: whether the Company is paying a penalty under the Equity Growth tracker.

As such, PSE requests additional language be added to the Commission's proposed language in paragraphs 250 and 251 of consolidated Dockets UE-170033 and UG-170034 and paragraph 22 of Order 01 in Docket UG-210823 that states: "Pursuant to approved settlement terms in section 42 of Exhibit F in consolidated Dockets UE-011570 and UG-011571 and..."

Together these PSE recommendations would read:

Pursuant to approved settlement terms in section 42 of Exhibit F in consolidated Dockets UE-011570 and UG-011571 and consistent with similar legal requirements for electric utilities in RCW 19.285.040, PSE will be considered in compliance with its biennial acquisition target for cost-effective conservation if events beyond the reasonable control of the utility that could not have been reasonably anticipated or ameliorated prevented it from meeting the conservation target.

Thank you for the opportunity to submit these comments. If you have any other questions, please contact me.

Sincerely,

/s/ Wendy Gerlitz

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