

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND)	DOCKETS UE-151871
TRANSPORTATION)	and UG-151872
COMMISSION,)	
)	PETITION TO INTERVENE BY
Complainant,)	SHEET METAL AND AIR
)	CONDITIONING CONTRACTORS
v.)	NATIONAL ASSOCIATION,
)	WESTERN WASHINGTON
PUGET SOUND ENERGY,)	(SMACNA-WW)
)	
Respondent.)	
.....)	

INTRODUCTION AND IDENTITY OF PETITIONER

- 1 Pursuant to WAC 480-07-355 of the Procedural Rules of the Washington Utilities and Transportation Commission (Commission), RCW 34.05.443, and Order 01 in this proceeding, the Western Washington Chapter of the Sheet Metal and Air Conditioning Contractors National Association (“SMACNA-WW”) petitions to intervene in the above-captioned proceeding.
- 2 Established in 1959, SMACNA-WW is a trade association incorporated in the State of Washington that is comprised of of 60 members doing business in Western Washington that, among other things, specialize in the sale, installation, and servicing of heating, ventilating, and air conditioning equipment and in energy management services. SMACNA-WW has authority from its members to advocate and appear on their behalf in regulatory proceedings, as this matter. Many of SMACNA-WW’s members are customers, both gas and electric, of Puget Sound Energy (PSE). SMACNA-WW is one

of 103 chapters that comprise the international association that has chapters throughout the United States and Canada as well as in Australia and Brazil. There is another chapter that represents contractors in Eastern Washington.

3 The tariff revisions filed by PSE and then suspended by the Commission in Order 01 seek to allow PSE to offer to its customers new “equipment lease service” under which PSE would lease various types of equipment, including water heaters, gas furnaces, and heat pumps, and use its existing billing system to manage lease payments.

INTEREST OF SMACNA-WW

4 SMACNA-WW members are engaged in the sale, installation, and servicing of water heaters, gas furnaces, heat pumps and related equipment throughout Western Washington, including the service territory of PSE. As part of their business, SMACNA-WW members seek to provide their customers the most up-to-date, cost effective, and energy efficient equipment options, as well as low-cost financing options.

5 SMACNA-WW and its members have a strong interest in full implementation of the conservation mandates of the Energy Independence Act (I-937), particularly the pursuit of all cost-effective conservation. RCW 19.285.

6 Approval of the PSE Lease Tariff would place PSE in direct competition with SMACNA members. Given that PSE is proposing to have this service as part of its regulated operations, there is a substantial danger that some costs of the proposed service may not be reflected in the prices for the service, thereby unfairly giving PSE a competitive advantage in this market. Such a competitive advantage for PSE would adversely affect

SMACNA-WW members and PSE customers and would be contrary to the public interest.

7 As electric and gas customers of PSE, SMACNA-WW members also have an interest how the incorporation of the PSE Lease Tariff as part of PSE's regulated operations may impact the rates for PSE's general customers.

8 In sum, SMACNA-WW and its members may be prejudiced by the outcome of this proceeding. SMACNA-WW members represent a perspective that is not current before the Commission. Intervention by SMACNA-WW is therefore necessary to protect the interests described above.

SMACNA-WW'S POSITION WITH RESPECT TO MATTERS IN CONTROVERSY

9 SMACNA-WW and its members believe that a robust competitive market for energy efficiency measures, including the sale, installation, and servicing of heating, cooling, and related equipment, is essential for full implementation of the conservation mandates of the Energy Independence Act (I-937) (RCW 19.285) and to otherwise implement the public interest as required by the public service laws. *See* RCW 80.01.040(3). Approval of the PSE Lease Tariff may threaten the viability of the current market for such energy-related equipment.

10 Accordingly, in this proceeding, SMACNA-WW will advocate for the continuation of a competitive market for the equipment and services that are the subject of this proceeding and to assist the Commission in development of a full factual record on which it base its decision. As the tariff is currently proposed, SMACNA-WW will advocate that the tariff

be rejected. To the extent that alternate proposals are developed that may provide a basis for settlement of this matter, SMACNA-WW will participate in such settlement efforts.

11 Related to the above, SMACNA-WW seeks to ensure that any tariff pricing mechanism proposed by PSE is “just, fair, reasonable and sufficient” and otherwise lawful. RCW 80.28.010(1); *see* RCW 80.28.020. PSE bears the burden to demonstrate that these statutory standards are met.

12 SMACNA-WW does not to propose to broaden the issues already articulated by PSE and by Commission Staff in this proceeding nor delay the resolution of this matter.

NAME AND ADDRESS OF PETITIONER’S ATTORNEY

13 SMACNA-WW consents to service by electronic mail only and requests that the following individuals be added to the service list for these consolidated matters:

Party Representatives	Information Only
Jeffrey D. Goltz Valerie K. Rickman Cascadia Law Group 606 Columbia Street N.W., Suite 212 Olympia, WA 98501 (360) 528-3026 jgoltz@cascadia.com vrickman@cascadialaw.com	Julie Muller-Neff, Esq. Executive Vice President SMACNA Western Washington 13810 SE Eastgate Way, Suite 445 Bellevue, WA 98005 ¹ jmullerneff@smacnaww.org

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¹ This is SMACNA-WW’s address effective January 18, 2016. Until that date, SMACNA-WW’s address is 1200 Westlake Avenue North, Suite 501, Seattle, WA 98109. Mail may be sent to the new address effective immediately.

CONCLUSION

14 In sum, SMACNA-WW requests that the Commission grant this petition to intervene as intervention is in the interests of justice and will not impair the orderly and prompt conduct of the proceedings.

Dated December 29, 2015.

Respectfully submitted,



Jeffrey D. Goltz
Valerie K. Rickman
Cascadia Law Group
606 Columbia Street, N.W., Suite 212
Olympia, WA 98501
(360) 528-3026
jgoltz@cascadialaw.com

Attorneys for Sheet Metal and Air Conditioning
Contractors National Association, Western
Washington Chapter (SMACNA-WW)