

[Service Date September 5, 2014]



STATE OF WASHINGTON

UTILITIES AND TRANSPORTATION COMMISSION

1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250

(360) 664-1160 • www.utc.wa.gov

September 5, 2014

**NOTICE OF OPPORTUNITY TO SUBMIT WRITTEN COMMENTS
ON PROPOSED RULES**

(By Monday, October 6, 2014)

and

NOTICE OF PROPOSED RULE ADOPTION HEARING

(Set for Wednesday, November 5, 2014, at 1:30 p.m.)

RE: Rulemaking for Energy Independence Act, WAC 480-109
Docket UE-131723

TO ALL INTERESTED PERSONS:

On October 2, 2013, the Washington Utilities and Transportation Commission (Commission) filed with the Office of the Code Reviser a Preproposal Statement of Inquiry (CR-101) to examine whether revised regulations are needed to govern the Commission's implementation of Initiative Measure No. 937, titled the Energy Independence Act (EIA). Washington voters approved the EIA on November 7, 2006, now codified at chapter 19.285 RCW. The Commission adopted rules to implement the EIA on November 30, 2007, by General Order R-546 in Docket UE-061895, promulgated as chapter 480-109 WAC. On October 4, 2013, prior to drafting any revised rule language the Commission issued a notice of opportunity to file written comments regarding the need to revise chapter 480-109 WAC. The Commission accepted written and verbal comments during a workshop held on November 12, 2013. Additional comments were due on December 2, 2013.

On April 9, 2014, the Commission published informal draft revisions to chapter 480-109 WAC and issued a notice requesting responses to several questions and comments on the informal draft revisions. Comments were due on May 9, 2014, and the Commission accepted additional comments during a workshop held on May 15, 2014.

A summary of the comments submitted is available on the Commission's website. All documents submitted to or issued by the Commission in this matter are available on the Commission's website located at: <http://www.utc.wa.gov/131723>.

On September 3, 2014, the Commission filed a Notice of Proposed Rulemaking (CR-102) with the Office of the Code Reviser. The Commission has reviewed comments from stakeholders received to date in this docket and has prepared a proposed rule for review and comment by interested persons. The proposed rule uses the section numbers shown in the following table.

Old Section Number	Proposed Rule Section Number	Section Name
001	010	Purpose and scope.
002	020	Application of rules.
003	030	Exemptions from rules in chapter 480-109 WAC.
004	040	Additional requirements.
006	050	Severability.
007	060	Definitions.
050	070	Administrative penalties.
010	100	Conservation resources and energy efficiency resource standard.
AAA	110	Conservation advisory group.
BBB	120	Conservation planning and reporting.
DDD	130	Conservation recovery adjustment.
020	200	Renewable portfolio standard.
040	210	Renewable portfolio standard reporting.
030	220	Alternatives to the renewable resource requirement.
CCC	300	Energy and emissions intensity metrics.
999	999	Adoption by reference.

The proposed rule is available for inspection on the Commission's web page at <http://www.utc.wa.gov/131723>. If you are unable to access the Commission's web page and would like a copy of the proposed rule mailed to you, please contact the Commission's Records Center at (360) 664-1234. The CR-102 filing initiates the final part of the rulemaking process, which includes a written comment period, a public adoption hearing, and a decision by the Commission.

WRITTEN COMMENTS

The Commission gives notice of your opportunity to submit written comments on the proposed rule to the Commission by filing with the Commission Executive Director and Secretary either by electronic transmission as described below, or by physical delivery to 1300 S. Evergreen Park Drive S.W., P.O. Box 47250, Olympia, Washington, 98504-

7250, no later than **5:00 p.m., Monday, October 6, 2014**. The proposed rule, as filed with the Code Reviser, is available for inspection on the Commission's web site at <http://www.utc.wa.gov/131723>.

The Commission requests that commenters use the standard comment form published on the Commission website at www.utc.wa.gov/131723.

Electronic copies: The Commission requests that comments be provided in electronic format to enhance public access, for ease of providing comments, to reduce the need for paper copies, and to facilitate quotations from the comments. You may submit comments via the Commission's Web portal at <http://www.utc.wa.gov/e-filing> or by electronic mail to the Commission's Records Center at records@utc.wa.gov. Please include:

- The docket number of this proceeding (UE-131723)
- The commenting party's name
- The title and date of the comment or comments

An alternative method for submitting comments is mailing or delivering an electronic copy to the Commission's Records Center on a flash drive, compact disk (CD), or 3 ½ inch, IBM-formatted, high density disk, in .pdf Adobe Acrobat format or in Word 2010 or later format. Include all of the information requested above. The Commission will post on the Commission's web site all comments that are provided in electronic format. The web site is located at <http://www.utc.wa.gov/131723>. If you are unable to file your comments electronically or to submit them on a flash drive or CD, the Commission will accept a paper document. The Commission's mailing address is:

Executive Director and Secretary
Washington Utilities and Transportation Commission
1300 South Evergreen Park Drive S.W.
P.O. Box 47250
Olympia, Washington 98504-7250

ADOPTION HEARING

The Commission gives further notice of your opportunity to attend the public hearing and make oral comments about the proposal for the adoption of the proposed rule at **1:30 p.m. on Wednesday, November 5, 2014**. This public hearing will be held in the Commission's Hearing Room, Second Floor, Richard Hemstad Building, 1300 S. Evergreen Park Drive, S.W., Olympia, Washington.

Questions? If you have questions about this Notice or this rulemaking, you may contact Dave Nightingale at (360) 664-1154 or email at dnightin@utc.wa.gov.

STEVEN V. KING
Executive Director and Secretary