



PROPOSED RULE MAKING

CR-102 (June 2004)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Washington Utilities and Transportation Commission

- Preproposal Statement of Inquiry was filed as WSR as WSR #06-12-104; or
- Expedited Rule Making--Proposed notice was filed as WSR _____; or
- Proposal is exempt under RCW 34.05.310(4).

- Original Notice
- Supplemental Notice to WSR _____
- Continuance of WSR _____

Title of rule and other identifying information: Chapter 480-108 WAC: Electric Companies—Interconnection With Electric Generators.

The proposed rule would establish standards for determining the charges, terms and conditions for interconnection of consumer-owned power generation facilities up to 20 MW of nameplate capacity to electric utility delivery systems. These regulations include standards for applications for interconnection, processing of such applications, technical and engineering standards for interconnections, safety standards, insurance and liability provisions, dispute resolution, and other provisions. Docket UE-060649

Hearing location(s):

Commission Hearing Room 206
Second Floor, Richard Hemstad Building
1300 S. Evergreen Park Drive SW
Olympia, WA 98504-7250

Date: August 15, 2007 Time: 1:30 PM

Submit written comments to:

Name: Washington Utilities and Transportation Commission
Address: 1300 s. Evergreen Park Drive S.W.
PO Box 47250
Olympia, WA 98504-7250
e-mail records@wutc.wa.gov. Please, include: "Docket UE-060649" in your comments.

fax (360) 586-1150 by (date) August 2, 2007

Assistance for persons with disabilities: Contact

Mary De Young by August 13, 2007

TTY (360) 586-8203 or (360) 664-1133

Date of intended adoption: August 15, 2007
(Note: This is NOT the effective date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

On August 8, 2005, amendments to Section 111(d) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2621(d)) (PURPA) became effective under the federal Energy Policy Act. Section 1254(a) amends PURPA to require State regulatory commissions to consider and determine whether to establish a standard to require that utilities make available to utility customers with on-site generation facilities interconnection service to the utility's local distribution system. The Commission initiated this inquiry to determine whether adoption by rule of the new PURPA standard for interconnection would be in the public interest and would further the objectives of PURPA to encourage: conservation of energy supplied by electric utilities; optimal efficiency of electric utility facilities and resources; and equitable rates for electric consumers. The requirement for regulatory authorities to consider the interconnection standard established in Section 1254(a) does not apply if a state has taken "prior action" to adopt or consider the standard or a comparable standard), or the state's legislature has voted on the standard or a comparable standard.

Chapter 480-108 WAC already sets standards regulating the interconnection of consumer-owned electric generation to utility distribution systems. However, the regulations are limited to generation facilities up to 25 KW in nameplate capacity. The proposed amendments to Chapter 480-108 WAC extend the application of standards to govern interconnection of consumer-owned generating facilities with nameplate generating capacity up to and including 20 MW to the distribution facilities of utilities jurisdictional to the Commission. The proposed amended regulations are beneficial and in the public interest because they will facilitate development of distributed generation with capacity larger than the small scale projects covered now by Chapter 480-108 WAC and because they will harmonize the standards a utility must apply to interconnections to state-jurisdictional distribution facilities with the standards a utility must apply to interconnections to facilities jurisdictional to the Federal Energy Regulatory Commission.

Reasons supporting proposal: See above.

Statutory authority for adoption:
RCW 80.01.040 and RCW 80.04.160

Statute being implemented: N/A

Is rule necessary because of a:

- Federal Law? Yes No
 - Federal Court Decision? Yes No
 - State Court Decision? Yes No
- If yes, CITATION:

CODE REVISER USE ONLY

Filed with the Code Reviser's Office

July 5, 2007, 9:50 a.m.

WSR 07-14-150

DATE
July 5, 2007

NAME (type or print)
Carole J. Washburn

SIGNATURE

TITLE
Executive Secretary

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

None.

Name of proponent: (person or organization) Washington Utilities and Transportation Commission

- Private
- Public
- Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Dick Byers	1300 S. Evergreen Pk Drive SW, Olympia, WA 98504	(360) 664-1209
Implementation....Carole J. Washburn	1300 S. Evergreen Pk Drive SW, Olympia, WA 98504	(360) 664-1174
Enforcement.....Carole J. Washburn	1300 S. Evergreen Pk Drive SW, Olympia, WA 98504	(360) 664-1174

Has a small business economic impact statement been prepared under chapter 19.85 RCW?

Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

No. Explain why no statement was prepared.

The proposed rules require investor-owned utilities, none of which qualify as a small business, to offer customers interconnection service that was not previously required. Because there will not be any increase in costs to small businesses resulting from the proposed rule changes, an SBEIS is not required under RCW 19.85.030 (1). In any event, the Commission has determined these rules are necessary to comply with federal law, namely Section 111(d) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2621(d)).

Is a cost-benefit analysis required under RCW 34.05.328?

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

No: Please explain:

The Commission is not an agency to which RCW 34.05.328 applies. The proposed rules are not significant legislative rules of the sort referenced in RCW 34.05.328 (5).