



STATE OF WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION

621 Woodland Square Loop S.E. • Lacey, Washington 98503

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May 24, 2024

**AMENDED NOTICE OF OPPORTUNITY TO FILE WRITTEN COMMENTS**  
**(By June 24, 2024)**  
**and**  
**AMENDED NOTICE OF WORKSHOP**  
**(Set for June 28, 2024, at 8:30a.m.)**

Re: *Rulemaking required to implement ESHB 1589,*  
Docket U-240281

TO ALL INTERESTED PERSONS:

On May 10, 2024, the Washington Utilities and Transportation Commission (Commission) filed a Notice of Workshop and Opportunity to File Written Comments under Docket U-240281. It has come to the attention of the Commission that some interested parties did not receive the last notice due to a technical glitch. The Commission is currently investigating the issue and remains committed to ensuring all interested parties have the opportunity to comment.

To ensure all parties have 30 days to comment the comment period has been extended to June 24th, and the workshop date has been moved to Friday, June 28th. This notice is being reissued with those amended dates.

On May 10, 2024, the Commission also filed with the Code Reviser a Preproposal Statement of Inquiry (CR-101) to engage in a Commission rulemaking required to implement ESHB 1589 (Chapter 351, Laws of 2024). The Commission filed the CR-101 under Docket U-240281. By this Notice, the Commission is re-serving the CR-101 on interested parties, providing notice of opportunity to comment, and notice of a workshop, but the CR-101 itself does not contain any substantive changes from the earlier filing on May 10, 2024.

The state legislature enacted ESHB 1589, and directed the Commission to adopt rules by July 1, 2025, to implement consolidated planning requirements for large combination utilities that allow for integrated system plans that may satisfy requirements for existing statutorily required plans.

The legislature also directed the Commission to adopt by rule a cost test for emissions reduction measures achieved by large combination utilities to comply with state clean energy and climate policies.

The Commission invites comments from interested persons on ESHB 1589's requirements for integrated system planning as well as the cost test. The Commission will consider all comments filed, but responses to the following questions would be most helpful:

- Section 3(2)(b) of the ESHB 1589 requires the Commission to include a compliance checklist and any additional guidance that is necessary to assist a large combination utility in meeting the minimum requirements of all relevant statutes and rules. What should the Commission consider including in a compliance checklist and what additional guidance should the Commission consider providing the large combination utility?
- Section 3(2)(a) of ESHB 1589 requires the Commission to complete a rulemaking proceeding to implement consolidated planning requirements for gas and electric services for large combination utilities. The Commission may include existing plans required under seven existing statutes<sup>1</sup> in the consolidated planning requirements. Are there existing plans required under these seven statutes that large combination utilities submit to the Commission that the Commission should consider including and/or excluding from the required rulemaking proceeding? Please explain why these plans should be included or excluded.
- Section 3(10) of ESHB 1589 requires the Commission to establish by rule a cost test for emissions reduction measures achieved by large combination utilities. On November 7, 2022, in Docket UE-210804, Commission Staff presented a Straw Proposal for a Washington Cost-Effectiveness Test for Distributed Energy Resources. Is this straw proposal an appropriate starting point for developing a cost test for emissions reductions measures? If yes, which components of the straw proposal need further discussion?

The Commission invites initial written comments in response to these questions and will conduct a workshop to address the relevant issues.

The CR-101, as filed with the Code Reviser, is available for inspection on the Commission's website at <https://www.utc.wa.gov/casedocket/2024/240281/docsets>. If you are unable to access the Commission's web page and would like an electronic copy of the CR-101 emailed to you, please contact the Records Center at (360) 664-1234.

## WRITTEN COMMENTS

Written comments on the CR-101, Pursuant to WAC 480-07-250(3), must be submitted in electronic form, specifically in searchable pdf format (Adobe Acrobat or comparable software). As provided in WAC 480-07-140(5), those comments must be submitted via the Commission's

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<sup>1</sup> Plans that the Commission may include in this consolidated planning requirement are: (i) RCW 19.280.030; (ii) RCW 1219.285.040; (iii) RCW 19.405.060; (iv) RCW 80.28.380; (v) RCW 1380.28.365; (vi) RCW 80.28.425; and (vii) RCW 80.28.130

web portal at [www.utc.wa.gov/e-filing](http://www.utc.wa.gov/e-filing). If you are unable to submit documents via the portal, you may submit your comments by email to the Commission's Records Center at [records@utc.wa.gov](mailto:records@utc.wa.gov) or by mailing or delivering an electronic copy to the Commission's Records Center on a flash drive, DVD, or compact disc that includes the filed document(s). Comment submissions should include:

- The docket number of this proceeding (Docket U-240281).
- The commenting party's name.
- The title and date of the comment or comments.

The Commission will post on its web site all comments that are provided in electronic format. The web site is located at <https://www.utc.wa.gov/casedocket/2024/240281/docsets>.

If you are unable to file your comments electronically the Commission will accept a paper document. If you have questions regarding this rulemaking, you may contact staff lead Payton Swinford at (360) 489-4044, or by email at [Payton.Swinford@utc.wa.gov](mailto:Payton.Swinford@utc.wa.gov)

## MEETING PARTICIPATION

In addition to filing written comments, interested people are invited to attend a stakeholder workshop on **June 28<sup>th</sup> beginning at 8:30 a.m.** At the workshop, Commission staff will review and discuss comments with the stakeholders.

To maximize accessibility, the Commission will be holding a hybrid meeting with in-person and virtual participation options. The Commission will be open to the public for in-person participation at its headquarters in Lacey, Room 110. The address for the UTC headquarters is 621 Woodland Square Loop SE, Lacey, WA 98503. Interested persons not attending in-person may listen to the meeting via Zoom by calling +1 (253)205-0468. To participate in the meeting using Zoom on a computer or mobile device, [click here to join the meeting](#).<sup>2</sup> The virtual meeting passcode is 394105, and the Meeting ID is 895 9179 4944. If you wish to be placed on the interested parties contact list, please contact the Commission's Records Center at [records@utc.wa.gov](mailto:records@utc.wa.gov).

Stakeholders will have further opportunity for comment. Information about the schedule and other aspects of the rulemaking, including comments, will be posted on the Commission's website as it becomes available. If you wish to receive further information on this rulemaking you may:

- Call the Commission's Records Center at (360) 664-1139
- Email the Commission at [records@utc.wa.gov](mailto:records@utc.wa.gov)

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<sup>2</sup> <https://utc-wa-gov.zoom.us/j/89591794944?pwd=NRnvn5a6nP2zicv8NS68TezdErfPyw.1>

- Mail written comments to the address below

When contacting the Commission, please refer to Docket U-240281 to ensure that you are placed on the appropriate service list. The Commission's mailing address is:

Jeff Killip  
Executive Director and Secretary  
Washington Utilities and Transportation Commission  
621 Woodland Square Loop S.E.  
Lacey, WA 98503

### NOTICE

**If you do not want to comment now, but do want to receive future information about this rulemaking, please notify the Executive Director and Secretary in one of the ways described above and ask to be included on the mailing list for Docket U-240281. If you do not do this, you might not receive further information about this rulemaking.**

JEFF KILLIP  
Executive Director and Secretary