

**BEFORE THE
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Rule-Making Proceeding
Related to Electric System Reliability – New
Rule Addition to Chapter 480-100 WAC

Docket No. UE-991168

**Comments of
Public Counsel
Attorney General of Washington
January 5, 2000**

Public Counsel appreciates the chance to offer comments in response to the third informal draft of the electric reliability rules, dated December 18, 2000. We understand Staff’s intention behind the proposed rule to be improved data collection and understanding of the reliability of the electric system that serves customers of Washington’s three investor-owned electric utilities. We continue to be generally supportive of Staff’s efforts, and believe the third draft offers some improvements over its predecessors. However, we have some remaining concerns with the proposed rule similar to those we addressed in our December comments on the second informal draft. Our comments on the specific sections of this draft are below.

WAC 480-100-xx1 Electric Service Reliability Definitions

We note Staff has adequately addressed our concerns about the scope of the reliability and performance to be monitored. Our one remaining comment goes to 480-100-xx1(7), the definition of “major event.” Staff’s proposal allows a circular definition, such that a major

event is an event the utility believes is major. Public Counsel encourages a slightly more meaningful definition that would incorporate some minimal concept of generally-accepted industry practice in defining a major event. We note that without any definition, the rule is virtually useless since the utilities presumably already define major events. However, we believe that some definition is appropriate given the increasing importance of reliability measurements for both utility customers and policymakers.

WAC 480-100-xx2 Reliability Monitoring and Reporting Plans

We continue to have the same concerns with this section as were expressed in our December comments on the second informal draft; these focus on minimum requirements for breadth and depth of data. Rather than reiterate those concerns, we propose an alternative solution.

480-100-xx2(3)(a) should be modified to read "... The utility must select and define statistics that track full-system reliability, *disaggregated to at least the level of the components contained in the definition of that term in 480-100-xx1(6), ...*" [proposed addition in italics] Such a requirement does nothing to diminish the flexibility offered the utilities in the current proposed rule, but adds a guarantee that policymakers and consumers will be able to understand which elements of the utilities' system most effect its reliability performance. Given the changes in the corporate and industry structure of Washington's investor-owned utilities, minimally disaggregated information will be necessary to provide a complete understanding of system reliability.

WAC 480-100-xx3 Electric Service Reliability Reports

Public Counsel supports the reporting requirements Staff has proposed in the draft rules. However, we continue to advocate for the inclusion of a requirement for reporting reliability performance to customers, no less frequently than is reported to the Commission. We are not advocating the same report be provided to the Commission and the customers, but that a minimum level of information necessary for customers to understand their utilities' performance be communicated to them. There are several reasons why such a requirement is valuable to the utility and its customers.

PSE and Scottish Power have already committed to reporting requirements on their service, including reliability data. All three electric IOUs assert their efficiency, reliability, and high level of customer service when communicating with their customers. By requiring a regular report on reliability to customers, the Commission can provide consumers with a valuable tool for assessing the companies' performance and their claims about that performance. As prices rise and changes in the industry demand attention, customers are best served by having greater access to available information.

Further, reporting to customers may motivate improved performance. Public Counsel believes that accountability to customers as well as to regulators is an important element of reliability. Without regular reports from the utility, customers will be unable to hold the company accountable for its efforts on their behalf.