

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION,

Complainant,

v.

PUGET SOUND ENERGY,

Respondent.

DOCKETS UE-220066 and UG-220067
(Consolidated)

THE ENERGY PROJECT REQUEST
FOR CASE CERTIFICATION AND
NOTICE OF INTENT TO REQUEST A
FUND GRANT

- 1 Pursuant to RCW 80.28.430, and the Washington Interim Participatory Funding Agreement (Funding Agreement) approved by the Washington Utilities and Transportation Commission (Commission),¹ The Energy Project (TEP) hereby submits this Request for Case Certification and Notice of Intent to Request a Fund Grant (Notice and Request).
- 2 Notice of Intent To Request Fund Grant. Pursuant to Section 6.2 of the Funding Agreement, TEP provides this Notice of Intent to Request a Fund Grant from the Customer Representation Sub-Fund of the Customer Access Fund for Puget Sound Energy (PSE).²
- 3 This Notice and Request is filed within the time designated by the Commission in Order 03 in this docket and has been served on PSE and the parties of record.
- 4 Eligible Proceeding. PSE is designated as a “Participating Public Utility” in Article 1(g) of the Funding Agreement. PSE’s general rate case (GRC) constitutes an “Eligible Proceeding” under Article 1(c). This case will be carried out under the auspices of Washington’s public service laws and Commission regulations.³ PSE’s GRC will materially affect the public interest. PSE proposes a three-year rate plan which would increase electric rates by over \$400 million and natural gas rates by nearly \$195 million. The Commission has found that “PSE’s requested increase might injuriously affect the rights and interests of the public, and PSE has not

¹ Docket U-210595, Order 01 (February 24, 2022).

² See Funding Agreement § 4.2.

³ Notice of Virtual Prehearing Conference (February 14, 2022), ¶ 6 (Statutory Authority).

demonstrated that the increase would result in rates that are fair, just, reasonable, and sufficient” and has suspended the rate filing for investigation.⁴

5 Request for Case Certification. The Energy Project requests case-certification in this matter as a customer representative organization pursuant to section 5.2.1 and 6.2 of the Funding Agreement. TEP meets the criteria for case-certification found in section 5.2.1.

- a. Non-Profit. TEP is fiscally sponsored by the Opportunity Council, which is a non-profit organization.
- b. Broad Customer Interests. TEP represents the interests of thousands of low-income customers in the State of Washington, including customers of PSE. RCW 80.28.430(1) recognizes “organizations representing low-income . . . customers” as a type of organization that represents “broad customer interests in regulatory proceedings.”
- c. Effective Representation. TEP focuses its regulatory engagement on issues that have a material impact on low-income customers and vulnerable populations. TEP works generally with utilities and other stakeholders to develop and expand rate assistance, energy efficiency programs, renewable energy projects, electric vehicle transportation infrastructure, and other matters impacting low-income customers in Washington. TEP serves on PSE’s low-income and energy efficiency advisory committees. TEP also works with entities delivering low-income services that are funded by the Washington State Department of Commerce, including Community Action Partnership Agencies that provide rate assistance and energy efficiency programs for Puget Sound Energy’s low-income customers. Through intervention and participation in Commission proceedings concerning rates, mergers, property transfers, policy statements, and rulemakings over the past two decades, including many involving PSE, TEP’s has effectively represented and directly and materially benefited low-income customers, including PSE customers.⁵ TEP

⁴ Order 01, ¶ 5.

⁵ See, e.g., *Washington Utilities & Transportation Commission v. Puget Sound Energy*, Dockets UE-190529/UG-190530, Order 08, ¶¶ 529-548; *In the Matter of the Joint Application of Puget Sound Energy, et al., For An Order Authorizing Proposed Sales of Indirect Interests in Puget Sound Energy*, Docket U-180680, Order 06 (Corrected), ¶¶ 64-68

can effectively represent the interests of low-income customers and vulnerable populations in this proceeding.

- d. Adequacy of Representation. The Energy Project is the only party focusing solely on the interests of low-income customers in this proceeding. TEP has been granted intervention in this case as a low-income representative that has established a substantial interest and whose participation will be in the public interest.⁶ The activities described above demonstrate that TEP can effectively advance the specific interests of PSE's low-income customers and vulnerable populations, as well as the general public interest in fair, just, reasonable, and equitable utility rates and practices.
- e. No Delay. The Energy Project is aware of the schedule adopted for the proceeding in Order 03 and believes the schedule is acceptable. As demonstrated by the track record described above of participating in general rate cases and other significant proceedings before the Commission, TEP's participation will not unduly delay this proceeding.

6 For the foregoing reasons, TEP respectfully requests that the Commission grant this Request for Case Certification and accept its Notice of Intent to Request a Fund Grant.

DATED: March 11, 2022

By: /s/ Yochanan Zakai
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⁶ Order 03, ¶ 5.

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