

**BEFORE THE  
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

**In the Matter of**

**PUGET SOUND ENERGY’S**

**Clean Energy Implementation Plan  
Pursuant to WAC 480-100-640**

**Docket UE-210795**

**PUGET SOUND ENERGY’S  
PETITION TO AMEND ORDERS 8  
AND 12**

**I. INTRODUCTION AND RELIEF REQUESTED**

1. Pursuant to WAC 480-07-875(1), Puget Sound Energy (“PSE”) respectfully requests that the Washington Utilities Transportation Commission (the “Commission”) amend Order 8, Approving CEIP Subject to Conditions<sup>1</sup> issued June 6, 2023 (“Order 8”), and Order 12, Approving CEIP Biennial Update Subject to Conditions<sup>2</sup> issued March 25, 2024 (“Order 12”) to address conditions and requirements concerning PSE’s 2025 Clean Energy Implementation Plan (the “CEIP Requirements”). Pursuant to WAC 480-07-870(1), changed conditions and good and sufficient cause warrant amending both sections.

2. The CEIP Requirements all contemplate PSE filing a CEIP in 2025. However, the Washington Decarbonization Act for Large Combination Utilities (the “Large Combination Utilities Decarbonization Act”)<sup>3</sup> provides that, upon request, the Commission may consolidate a

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<sup>1</sup> *In the Matter of Puget Sound Energy Clean Energy Implementation Plan Pursuant to WAC 480-100-640, Docket UE-210795, Order 08 Approving CEIP Subject to Conditions (Jun. 6, 2023).*

<sup>2</sup> *In the Matter of Puget Sound Energy Clean Energy Implementation Plan Pursuant to WAC 480-100-640, Docket UE-210795, Order 12 Approving CEIP Biennial Update Subject to Conditions (Mar. 25, 2024).*

<sup>3</sup> Washington Decarbonization Act for Large Combination Utilities, Engrossed Substitute House Bill 1589, § 3(1) (2024).

large combination utility’s planning requirements for both gas and electric operations into a single integrated system plan (“ISP”) approved by the Commission. Consistent with the Large Combination Utilities Decarbonization Act, PSE has concurrently filed a *Petition for an Order Extending Filing and Reporting Requirements under RCW 19.405.060 and 19.280,030, An Exemption From the Requirements of WAC 480-90-238(4), 480-100-640(1) & 580-100-655(2), and Requiring the Filing of an Integrated System Plan* (“Extension Petition”),<sup>4</sup> requesting Commission approval to transition to the 2027 ISP Process and forgo filing the following legacy planning documents:

- Gas Integrated Resource Plan,
- Electric Integrated Resource Plan,
- Clean Energy Implementation Plan, and
- Clean Energy Implementation Plan Public Participation Plan<sup>5</sup>

Accordingly, PSE proposes to amend the language in Orders 8 and 12 to remove all references to a 2025 CEIP and replace such references with 2027 ISP, or 2023 Biennial Update in one instance, and eliminate one reference to the 2025 CEIP that could not be modified for the 2027 ISP, as indicated in Attachment A (the “Proposed Revisions”).

3. PSE has notified all parties in the underlying proceeding of PSE’s Proposed Revisions to the CEIP Requirements and to date, no party opposes the amendments. Given the changed conditions since the Commission entered Orders 8 and 12 and that no party opposes PSE’s proposed amendments, PSE requests that the Commission grant the requested relief.

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<sup>4</sup> *In the Matter of Puget Sound Energy’s Petition for an Order Extending Filing and Reporting Requirements under RCW 19.405.060 and 19.280,030, An Exemption From the Requirements of WAC 480-90-238(4), 480-100-640(1) & 580-100-655(2), and Requiring the Filing of an Integrated System Plan*, ¶ 1, Docket Number Pending (Jun. 5, 2024) (“Extension Petition”).

<sup>5</sup> *Id.*

## II. BACKGROUND FACTS

4. On March 28, 2024, the Washington Legislature passed the “Large Combination Utilities Decarbonization Act, which recognized in part, that the energy transition does not happen in a vacuum. In order for large combination utilities to decarbonize their systems, they must transition customers, invest in energy supply, continue to serve current, and allow for future, customers, maintain the existing systems’ safety and reliability, manage peak load, and ensure equitable benefits to historically overburdened and underserved communities.<sup>6</sup> The Legislature adopted “requirements for large combination utilities to conduct integrated system planning to develop specific actions supporting gas system decarbonization and electrification, and reduction in the gas rate base.”<sup>7</sup> Accordingly, the Commission may permit a large combination utility to consolidate its planning requirements for both gas and electric operations, including consolidation into a single ISP that is approved by the Commission.<sup>8</sup>

5. To support the filing of an ISP and reduce regulatory burdens, a large combination utility can request that the Commission issue an order extending the filing and reporting requirements of a large combination utility under RCW 19.405.060<sup>9</sup> (Clean Energy Implementation Plan) and 19.280.030<sup>10</sup> (Integrated Resource Plan) provided that the large combination utility can demonstrate reasonable progress toward meeting the standards under RCW 19.405.040(1) and 19.405.050(1) as well as achieving equity. Concurrently with this Petition, PSE has filed an Extension Petition, requesting such an order from the Commission and states PSE’s intention to incorporate its CEIP, CEIP public participation plan, gas IRP, electric

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<sup>6</sup> Washington Decarbonization Act for Large Combination Utilities, Engrossed Substitute House Bill 1589, § 3(1) (2024).

<sup>7</sup> *Id.* § 1(6).

<sup>8</sup> *Id.* § 3(1).

<sup>9</sup> Requiring the filing of a CEIP.

<sup>10</sup> Requiring the filing of an electric IRP.

IRP, and electrification of transportation plan into its ISP that will be filed pursuant to the Commission’s forthcoming rulemaking in 2027.<sup>11</sup>

6. If the Commission approves PSE’s Extension Petition, the CEIP Requirements contained in Commission Orders 8 and 12 will no longer be applicable as PSE will no longer file a 2025 CEIP, and instead that document will now be a component of PSE’s 2027 ISP.

### III. DISCUSSION

7. Under WAC 480-07-875(1), the Commission may propose, or may act in response to a petition, to alter, amend, or rescind any order that the Commission has entered. Any such petition must comply with the requirements in WAC 480-07-870 for a petition for rehearing. A petition for rehearing requires sufficient grounds supported by substantial evidence or an offer of proof consisting of the following:

- (a) Changed conditions since the commission entered the order;
- (b) Harm to the petitioner resulting from the order that the commission did not consider or anticipate when it entered the order;
- (c) An effect of the order that the commission or the petitioner did not contemplate or intend; or
- (d) Any good and sufficient cause that the commission did not consider or determine in the order.<sup>12</sup>

8. In this instance, changed conditions and good and sufficient cause warrant amending Orders 8 and 12 to account for the Large Combination Utilities Decarbonization Act and PSE’s upcoming 2027 ISP. Additionally, should Orders 8 and 12 not be modified, PSE will suffer harm.

9. The Large Combination Utilities Decarbonization Act, enacted after Orders 8 and 12, now allows “large combination utilities” (such as PSE) to seek Commission approval to

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<sup>11</sup> *Extension Petition* ¶ 1.

<sup>12</sup> WAC 480-07-870.

consolidate the filing of IRPs and other planning documents into a comprehensive ISP.<sup>13</sup> PSE filed its Extension Petition requesting Commission authorization to, among other things, extend and consolidate the filing of its 2025 CEIP into its 2027 ISP.<sup>14</sup> If PSE's Extension Petition is granted, the CEIP Requirements in Orders 8 and 12 that PSE must include in its 2025 CEIP will no longer be applicable.

10. At the time of Orders 8 and 12, neither the parties nor the Commission knew with certainty that the Large Combination Utilities Decarbonization Act would pass. Accordingly, if PSE's Extension Petition is granted, changed conditions and good and sufficient cause warrant amending the CEIP Requirements in Orders 8 and 12 to align with PSE's 2027 ISP. To account for this change, PSE's proposed revisions to the CEIP Requirements are in Attachment A.

11. Moreover, should the Commission decline to amend Orders 8 and 12, PSE would suffer from the regulatory burdens that the Large Combination Utilities Decarbonization Act seeks to alleviate. To require PSE to comply with Orders 8 and 12 as written, would work at cross purposes with the Legislature's directive to consolidate utility system planning in order to achieve Washington's multifaceted approach to lower greenhouse gas emissions.

#### IV. CONCLUSION

12. For the foregoing reasons, PSE respectfully request that the Commission grant PSE's petition and amend Orders 8 and 12 as described above and provided in Attachment A.

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<sup>13</sup> Washington Decarbonization Act for Large Combination Utilities, Engrossed Substitute House Bill 1589, § 3(1) (2024).

<sup>14</sup> *Extension Petition* ¶ 1.

DATED this 5th day of June 2024

By: 

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