

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of

AVISTA CORPORATION d/b/a
AVISTA UTILITIES,

For Waiver of WAC 480-100-238(4)
and Order Authorizing Use of 2017
Integrated Resource Plan for 2020-2021
Biennial Conservation Plan Targets

DOCKET UE-180738

ORDER 01

ORDER GRANTING PETITION
SUBJECT TO CONDITION

BACKGROUND

- 1 On January 29, 2019, Avista Corporation, doing business as Avista Utilities (Avista or Company) filed a petition (Petition) with the Washington Utilities and Transportation Commission (Commission) requesting a one-time waiver of WAC 480-100-238(4); as a result of its proposal to delay the 2019 IRP, Avista also requests authorization to use its 2017 IRP data for its 2020-2021 Biennial Conservation Plan (BCP) filing.
- 2 WAC 480-100-238(4) requires electric companies to submit an Integrated Resource Plan (IRP) within two years of the date of the previous filing. The next deadline for the Company's IRP is August 31, 2019; the Company requests a six-month extension of this deadline, that is, to February 28, 2020. Avista states in its Petition that an extension is necessary to provide time for the conclusion of state legislative sessions so that Avista can integrate any changed laws that may impact its IRP modeling and assumptions.¹
- 3 Under WAC 480-109-120, utilities must file with the Commission a BCP on or before November 1 of every odd-numbered year. As part of the BCP, the utility must submit a description of any changes from the assumptions or methodologies used in the utility's most recent conservation potential assessment. Avista notes in its Petition that it does its

¹ See, e.g., An Act Relating to supporting Washington's clean energy economy and transitioning to a clean, affordable, and reliable energy future, S. 5116, 66th Legislature (2019 Regular Sess.); An Act Relating to energy efficiency, S. 5293, 66th Legislature (2019 Regular Sess.); Montana Energy Security Act, HB 203, 66th Legislature.

conservation potential assessment modeling alongside its IRP modeling, which will not be completed by November 2019 if the Company's requested extension is granted. Avista thus requests authorization to use its 2017 IRP data for setting the energy efficiency target for its 2020-2021 BCP, stating that the BCP targets "would not be dramatically different than the current pro rata share in [the Company's] 2018-2019 BCP."²

4 Commission staff (Staff) has reviewed the Company's Petition and recommends the Commission grant it subject to the condition that Avista file an update to its 2019 IRP work plans no later than February 28, 2019.

DISCUSSION AND DECISION

5 Under WAC 480-07-110(1), the Commission may "grant an exemption from, or modify the application of, any of its rules in individual circumstances if the exemption or modification is consistent with the public interest, the purposes underlying regulation, and applicable statutes."³

6 ***IRP Extension.*** Avista asserts that IRP modeling in preparation for an August 31 deadline would be premature, given pending legislation in Washington, Oregon, and Montana, which, if passed, could fundamentally change Avista's resource mix. The Commission agrees that, if any of the cited potential legislation is enacted, new assumptions and models would need to be developed and run in the Company's IRP to account for the actual impacts of the legislation.

7 It is neither in the public interest nor consistent with the purpose of WAC 480-100-238 to have utilities file IRPs that are, upon filing or shortly thereafter, rendered obsolete by legislative action. Such a filing would be of limited value to the Commission and the public. We therefore grant Avista a one-time exemption from WAC 480-100-238(4), extending Avista's next IRP filing deadline from August 31, 2019, to February 28, 2020. We agree with Staff's recommendation and require Avista to file an update to its 2019 IRP work plan no later than February 28, 2019, including an updated IRP stakeholder meeting schedule. Because Avista's Petition requests an extension only for the filing of

² Petition at 3.

³ See also WAC 480-100-008.

its 2019 IRP, the existing IRP filing schedule will be otherwise maintained, and Avista's 2021 electric IRP will be due on or before August 31, 2021.

8 **BCP Target.** Given Avista's proposal to extend its IRP deadline, the Company's conservation potential assessment and IRP modeling will not be completed by November 2019. The Company's proposal to use its 2017 IRP in developing its 2020-2021 biennial conservation target is thus necessary to avoid additional deadline extensions for filings that, according to the Company, would not be dramatically altered by the use of inputs used in a previous filing cycle.

9 Avista should, however, consult with its conservation advisory group to determine if and when it would be appropriate to petition the Commission for a modification of the 2020-2021 biennial conservation target and ten-year conservation potential, were prospective state legislation to materially affect Avista's BCP target calculation.

FINDINGS AND CONCLUSIONS

- 10 (1) The Commission is an agency of the state of Washington, vested by statute with authority to regulate the rates, rules, regulations, practices, accounts, securities, transfers of property and affiliated interests of public service companies, including electric companies.
- 11 (2) Avista is engaged in the business of providing electric services within the state of Washington and is a public service company subject to Commission jurisdiction.
- 12 (3) Avista is subject to WAC 480-100-238(4), which requires electric companies to file an IRP within two years after the date on which the previous plan was filed with the Commission.
- 13 (4) Avista requests an exemption from WAC 480-100-238(4) to change the filing date of its next-due IRP from August 31, 2019, to February 28, 2020.
- 14 (5) Avista is subject to WAC 480-109-120, which requires utilities to file with the Commission a BCP on or before November 1 of every odd-numbered year.
- 15 (6) Avista's BCP relies upon IRP modeling, which would not be available by November 1, 2019, if Avista's request for an extended IRP filing deadline is granted.

- 16 (7) Avista requests authorization to use the Company's 2017 IRP for setting the energy efficiency target for its 2020-2021 BCP.
- 17 (8) Under WAC 480-100-008 and WAC 480-07-110(1), the Commission may grant an exemption from the provisions of any rule in WAC 480-100 if the exemption is consistent with the public interest, the purposes underlying the regulation, and applicable statutes. See also WAC 480-07-110(1).
- 18 (9) Legislation enacted by states in Avista's service area could materially alter the assumptions and modeling in Avista's 2019 IRP.
- 19 (10) This matter came before the Commission at its regularly scheduled meeting on February 15, 2019.
- 20 (11) After review of the Petition filed in Docket UE-180738 by Avista on January 29, 2019, and giving due consideration, the Commission finds that the IRP deadline exemption is consistent with the public interest, the purposes underlying WAC 480-100-238(4), and applicable statutes. The Commission grants Avista's Petition subject to the condition that Avista file an updated work plan for its next IRP by February 28, 2019.
- 21 (12) Avista may use the Company's 2017 IRP for setting the energy efficiency target for its 2020-2021 BCP.

ORDER

THE COMMISSION ORDERS:

- 22 (1) Avista Corporation is granted a temporary exemption from WAC 480-100-238(4) and may file its next Integrated Resource Plan on or before February 28, 2020, subject to the condition that Avista Corporation files an updated work plan for its Integrated Resource Plan by February 28, 2019.
- 23 (2) Avista Corporation is granted authorization to use data from its 2017 Integrated Resource Plan to set the energy efficiency target for its 2020-2021 Biennial Conservation Plan.

- 24 (3) The Commission retains jurisdiction to enforce the terms of this Order and delegates to the Executive Director and Secretary the authority to confirm compliance with this Order.

DATED at Olympia, Washington, and effective February 15, 2019.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER, Chairman

ANN E. RENDAHL, Commissioner

JAY M. BALASBAS, Commissioner