

Docket No. UE-190652 - Vol. I

**Rulemaking to amend the Energy Independence Act
(EIA)**

July 28, 2020



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BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

RULEMAKING TO AMEND
THE ENERGY INDEPENDENCE ACT
DOCKET NO. UE-190652

TELEPHONIC ADOPTION HEARING, VOLUME I

Pages 1-29

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Washington Utilities and Transportation Commission
621 Woodland Square Loop Southeast
Lacey, Washington 98503

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A P P E A R A N C E S

COMMISSIONERS:

DAVE DANNER, Chair
ANN E. RENDAHL, Commissioner
JAY BALASBAS, Commissioner

COMMENTS OFFERED BY:

ANN PAISNER, Public Counsel
JONI BOSH, NWECC
SHAWN BONFIELD, Avista
JESSICA ZAHNOW, PacifiCorp
DEBORAH REYNOLDS, Staff
KARA DURBIN, Puget Sound Energy
SHAWN COLLINS, Energy Project

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1 LACEY, WASHINGTON; JULY 28, 2020

2 9:30 A.M.

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4 P R O C E E D I N G S

5

6 CHAIR DANNER: Good morning, everyone.

7 Today is Tuesday, July 28th, 2020, and this is a
8 rulemaking adoption hearing in Docket UE-190652, and
9 that's the Energy Independence Act rulemaking to ensure
10 that we incorporate changes that resulted from the
11 passage of CETA, or the Clean Energy Transformation Act,
12 in 2019.

13 I'm Dave Danner. I'm Chair of the
14 Commission. I'm joined by my colleagues, Commissioner
15 Ann Rendahl and Commissioner Jay Balasbas.

16 This meeting is being recorded. We also
17 have a court reporter here, and so I would ask all
18 participants this morning to please identify themselves,
19 spell their names, and speak slowly and clearly.

20 So with out further ado, Andrew Rector, I'm
21 going to turn it over to you for a presentation and then
22 we will get into the conversation. So off to you.

23 Thanks.

24 MR. RECTOR: Great, thanks, Chair Danner. I
25 appreciate it.

1 For the record, my name is Andrew Rector
2 with regulatory services. Spelling is A-n-d-r-e-w,
3 R-e-c-t-o-r.

4 So I have been heading up the EIA rulemaking
5 since late last year. Just a little bit of housekeeping
6 for all attendees before we continue, I'd like to ask
7 you to please make sure that you mute yourself if you're
8 not talking. You can do so using the mute button if
9 you're calling in on Skype, or just calling in by phone,
10 please use star 6 on your phone to mute and unmute
11 yourself. If someone's phone is not on mute and there's
12 noise coming through the -- coming through the line, we
13 will put you on mute and you won't be able to speak
14 unless you call back in.

15 So with that out of the way, before I go any
16 further, I'd just like to thank the excellent rulemaking
17 team that I worked on this -- this rulemaking with,
18 without whom none of this could have gotten done, and
19 those folks are Andrew O'Connell, Deborah Reynolds, Jeff
20 Roberson, Jennifer Snyder, Jim Woodward, Kate Griffith,
21 Kendra White, and Nikita Bankoti. And I'd also like to
22 thank all of the stakeholders who have stuck with us
23 throughout the rulemaking and provided a lot of great
24 comments for us to chew on.

25 So as the Chairman said, this rulemaking

1 came about after the passage of the Clean Energy
2 Transformation Act, or CETA, in the 2019 legislative
3 session. CETA included several changes to Chapter
4 19.285 of the Revised Code of Washington, and Staff
5 undertook this rulemaking to incorporate those edits to
6 the Washington Administrative Code in Chapter 480.109,
7 which houses the EIA, and also to make a few other
8 updates to that same chapter.

9 So we kick off the rulemaking with a CR-101
10 and draft rules in October of 2019. The draft rules
11 elicited 19 sets of comments from stakeholders. After a
12 January technical workshop to consider how to
13 incorporate a number of definitions from CETA into the
14 rules, the UTC released a CR-102 with proposed rules in
15 late March of 2020.

16 The CR-102 received comments from seven
17 stakeholders including Avista Corporation, PacifiCorp,
18 Puget Sound Energy, Public Counsel, The Energy Project,
19 the Northwest Energy Coalition, and Front and Centered.
20 From that set of comments, the Commission made several
21 nonsubstantive edits as well as one substantive edit to
22 the proposed rules. These edits were incorporated into
23 a second CR-102, which we filed in early June of 2020,
24 and that round led to three sets of comments from Puget
25 Sound Energy, The Energy Project, and the Northwest

1 Energy Coalition.

2 So in conclusion, Staff recommends that the
3 Commission adopts the proposed changes to WAC 480-109
4 including the following minor edit that was suggested by
5 stakeholders in the June proposed rules.

6 In WAC 480-109-100, Subsection 10(a), Staff
7 recommends replacing the words "may include" in the
8 second sentence with "does not prohibit." And this
9 minor edit was noted in the adoption hearing memo posted
10 to the docket on July 21st.

11 So that concludes my comments. I am
12 available for questions now and throughout the hearing.
13 Thank you.

14 CHAIR DANNER: All right. Thank you.

15 Commissioners, are there any questions for
16 Mr. Rector?

17 Okay. Hearing none, why don't we then turn
18 to those who would like to comment on our proposed rules
19 today. I believe that Shawn Bonfield from Avista is
20 wishing to comment.

21 Are you on the line, sir?

22 MR. BONFIELD: Good morning, Chair Danner
23 and Commissioners Balasbas and Rendahl. I am on the
24 line and would like to address just a couple items if I
25 could.

1 And for the court reporter, Shawn Bonfield,
2 S-h-a-w-n, last name B-o-n-f-i-e-l-d.

3 So thanks for the opportunity to provide
4 additional comments on the proposed draft rules. Avista
5 appreciates the work that has went into the draft rules,
6 but we would like to address just a couple items today.

7 First, we remained concerned with the change
8 from may to must as it relates to fully funding low
9 income contribution in the first sentence of WAC
10 480-109-100(10)(a). I won't restate our written
11 comments that we filed back in November and April, but I
12 would like to draw attention to those.

13 EI -- EIA statute directs a qualified
14 utility to identify its cost effective potential based
15 on the power council's methodology or the utility's own
16 phasures [sic], values and assumptions. The proposed
17 ruling, which appears to depart from the statute and the
18 intent from CETA, was not to -- not additional or
19 expanded conservation achievement verification
20 requirements for qualifying utilities. It should be
21 noted utilities are meeting their conservation
22 requirements under the EIA and should be sufficient to
23 demonstrate compliance with CETA as well.

24 The second item I'd like to address is WAC
25 480-109-200, related to the renewable portfolio

1 standard. Section 2, credit eligibility, requires that
2 all RECs used comply with the target year to be acquired
3 by January 1st, even for RECs that are generated in the
4 year following the target year, which are eligible for
5 compliance.

6 We recognize this requirement has been
7 included in the rules to date and is not new. It hasn't
8 been an issue in the past for Avista. We've had surplus
9 RECs to comply with our targets in the years when hydro
10 may have not met expectations or number of RECs were
11 lower than anticipated. However, in 2020, we did have
12 to pull Palouse Wind RECs from 2021 for purposes of
13 compliance, so it does raise a question for
14 consideration.

15 Glenn Blackmon from the Department of
16 Commerce also asked Commission Staff about this in an
17 email that was posted to the docket on July 20th. And
18 as Glenn pointed out, the provision requiring that all
19 RECs be acquired by the start of the target year is not
20 one applied to the consumer-owned utilities nor is it
21 required by statute.

22 So because it's not required by statute and
23 not applicable to the consumer-owned utilities, I would
24 like to raise it as a question today. The requirement
25 of having to acquire all RECs to comply with the target

1 by January 1st may require utilities to have a surplus
2 of RECs in hand on January 1st or count RECs from the
3 following year in the event of bad hydro conditions or
4 renewable resource generation stations.

5 An example of where this may have impacted
6 us if it wasn't required that we acquire that all
7 resources are REC'd by January 1 as with our Boulder
8 solar community -- or excuse me, rephrase that, our
9 Boulder solar resource that served our community solar
10 program. That program ended June 30th of this year, and
11 we weren't sure what the plan was for that resource.
12 It's a very small solar resource that was paid for by
13 that participant of the program, and in the first -- end
14 of the first quarter of this year, we decided that we
15 would just be returning that resource back to our
16 general power supply mix for all customers.

17 So because that resource technically wasn't
18 acquired by January 21st, we cannot use the RECs from
19 the small facility to comply with 2020. So we think
20 there's a -- there's a question to be considered as it
21 doesn't -- this provision doesn't apply to consumer
22 utilities, it's not in the statute, and it prevents
23 utilities from using RECs that it may have acquired
24 during the target year to comply, especially in the
25 event of bad hydro or changing conditions. If we have

1 the ability to acquire RECs in the following year from
2 the target year and use those in place of generation
3 that we had available to comply, it may also provide
4 additional value to our customers.

5 So I'll leave it with that, and I'm
6 available for questions if there are any. Thank you.

7 CHAIR DANNER: All right. Thank you.

8 Are there questions for Mr. Bonfield?

9 COMMISSIONER RENDAHL: This is Commissioner
10 Rendahl, can you hear me?

11 CHAIR DANNER: Yes, I can. Go ahead.

12 COMMISSIONER RENDAHL: Great, finally.

13 So, Mr. Bonfield, thank you for your
14 comments. So you said you raised this issue of the RPS
15 date earlier in this rulemaking?

16 MR. BONFIELD: No, we did not. No, it
17 hasn't been one that has impacted us until we recently
18 filed our 2020 RPS compliance report that it's posed a
19 question for consideration. So it has not been an issue
20 that we recognized previously.

21 COMMISSIONER RENDAHL: So this is the first
22 time you've identified this issue for Staff and for --
23 for the Commission?

24 MR. BONFIELD: It is.

25 COMMISSIONER RENDAHL: Okay. Well, I

1 appreciate you raising it. I think it is something
2 we'll -- we'll think about, but coming at such a late
3 date in the process, this may be something that -- can
4 be something that a request for a waiver if necessary
5 going forward, but I appreciate you bringing it to our
6 attention.

7 MR. BONFIELD: Thank you, and we understand.
8 And I --

9 (Simultaneous talking.)

10 MR. BONFIELD: I was going to say we
11 understand --

12 (Simultaneous talking.)

13 CHAIR DANNER: Go ahead, Mr. Bonfield.

14 MR. BONFIELD: Yeah, thank you. Thanks --
15 thanks for the feedback, Commissioner Rendahl, and we --
16 we understand in -- in reality going forward as we
17 acquire additional renewable energy resources, it -- EIA
18 may not be the RPS an issue even for consideration for
19 that matter, as Avista has a new wind resource coming
20 online potentially the end of this year. The amount of
21 renewable energy generation or RECs available to comply
22 with the 50 percent requirement should, I would assume,
23 hopefully not require us to ever have to worry about
24 pulling RECs from a future year. It was just a nuance
25 that we recognized given our recent filing and based on

1 the comments provided from Glenn Blackmon at Commerce.
2 So thank you for the feedback.

3 CHAIR DANNER: So yeah, I -- I would echo
4 what Commissioner Rendahl said, is that it does sound
5 like this is -- is unlikely to be a major sore spot
6 anytime soon, but if it does arise, it is something we
7 certainly could entertain a petition waiver if -- if
8 that is necessary at that time. But we'll -- we'll take
9 this under advisement.

10 All right. I heard someone else's voice
11 wishing to speak up on this matter, is that -- is there
12 someone who was trying to interject there?

13 MS. ZAHNOW: Yes -- yes, thank you, Chair
14 Danner. This is Jessica -- this is Jessica Zahnow with
15 PacifiCorp. Can you guys hear me all right?

16 CHAIR DANNER: Yes, go ahead.

17 MS. ZAHNOW: Thank you. Yeah, I just wanted
18 to thank Shawn for his comments and -- and say that we
19 definitely support --

20 (Simultaneous talking.)

21 MS. ZAHNOW: I'm sorry?

22 CHAIR DANNER: Can you -- can you spell your
23 name for the court reporter, please?

24 MS. ZAHNOW: Oh, I'm sorry. Yeah, it's
25 Jessica, J-e-s-s-i-c-a, last name is Zahnow, Z, as in

1 zebra, a-h, as in Henry, n-o-w.

2 CHAIR DANNER: All right. Go ahead.

3 MS. ZAHNOW: Yeah, so I -- again, I just
4 wanted to thank Shawn for his comments, and, you know,
5 this has been an issue for PacifiCorp as well with last
6 year's -- or two years ago actually, RPS filing with an
7 accounting project.

8 So kind of on the tail of Shawn's comments,
9 which we -- which we support, I also want to ask a
10 clarifying question about the acquired language. So
11 something that came up for us was that the acquired
12 language referred only to the purchase of unbundled RECs
13 or purchase of RECs versus RECs generated from
14 facilities that the utility owns or operates. So I just
15 want to be really clear on the record that this acquired
16 language by January 1st, is it applied to all resources
17 generating RECs included -- including those owned by the
18 utility or is it just RECs purchased in the market?

19 CHAIR DANNER: Mr. Rector, do you want to
20 take that question?

21 MR. RECTOR: Sorry, I apologize. I'm
22 looking for the correct section where the -- the date
23 is -- is spelled out. Was -- that's in -- is it 200,
24 Sub 1?

25 MS. ZAHNOW: Shawn, do you have the cite

1 handy?

2 MR. BONFIELD: 200, Sub 2, I believe,
3 under -- yeah, 200, Sub 2 under credit eligibility I
4 believe.

5 MR. RECTOR: Thank you. I see it.

6 MS. REYNOLDS: This is Deborah Reynolds.

7 CHAIR DANNER: Go ahead -- go ahead while
8 Andrew --

9 MS. REYNOLDS: If I --

10 CHAIR DANNER: Yeah, go -- go ahead.

11 MS. REYNOLDS: Yeah, if I understand the
12 question correctly, Jessica, it is does -- does Staff
13 believe that acquire applies to RECs or to resources or
14 to both; is that your question?

15 MS. ZAHNOW: Yeah, that's correct, yeah.

16 MS. REYNOLDS: Okay. So as Staff has
17 understood this in the past, that acquisition
18 requirement is that you have a contract in place or
19 something, whether it is a contract with the resource or
20 a contract for unbundled RECs is -- is immaterial, and
21 we recognize that the number of RECs actually delivered
22 in that contract is likely to vary. It, in fact, will
23 vary.

24 And so the acquisition requirement is merely
25 to have a contract instrument in place at the beginning.

1 It is not a requirement that you have purchased RECs
2 that specific. So when you get to the end of the
3 compliance period, right, you retire the RECs, you don't
4 have to know that you got the RECs for Tuesday,
5 January 4th, 2017, on January 1st of 2017; does that
6 make sense? It's not the explicit REC, it's the
7 contract for the RECs.

8 MS. ZAHNOW: Yeah, it does, and, you know,
9 actually I'm -- I'm sorry, go ahead.

10 (Simultaneous talking.)

11 MS. REYNOLDS: Secondly, if you need to
12 acquire additional RECs for compliance during that
13 compliance period, that's what we're looking at. So
14 when we're reviewing your initial report, we are looking
15 at what you have acquired, so what you have contracts in
16 place for as of January 1st, and we do this in June
17 because that's when the statute says you will tell us
18 what you acquired January -- what you have under
19 acquisition January 1st.

20 But then our -- the way our program works,
21 we do this secondary review a year and a half later or
22 nearly two years later where you actually tell us the
23 explicit resources that you used.

24 CHAIR DANNER: All right. Mr. Bonfield, did
25 you --

1 (Simultaneous talking.)

2 CHAIR DANNER: Mr. Bonfield, did you have
3 something else --

4 MR. BONFIELD: Yeah, I did, thank you. That
5 makes sense to me in terms of how you're looking at it,
6 and I agree in terms of the process, and I did see that
7 come out in the language in terms of the acquisition.
8 And so my thinking was okay, so we -- Avista, for
9 example, had enough hydro and wind resources and biomass
10 available to meet our 2020 compliance by January 1st
11 with phone generation and contracts for resources. So
12 during that year, maybe 2020's a really poor hydro year,
13 maybe the wind doesn't blow as much as we think and we
14 end up short.

15 And so what are our options if we're short
16 at the end of 2020? We know that we have to do
17 something in 2021 to then still comply with that 2020
18 target. And either we pull resources forward from 2021
19 into 2020 with that we -- we propose in this year's
20 report or potentially we can acquire additional RECs in
21 2021 that may be cheaper than the resources we had
22 available on January 1 of the target year.

23 And so if you can acquire something at a
24 lower price to help comply with your 2020 target because
25 you're replacing what maybe you thought you had used

1 with something different, then that's additional value
2 to our customers that we can derive. And I didn't -- to
3 me, I don't read that as coming out in the rules as
4 possible when it says we must acquire all generation and
5 RECs to comply with the target year by January 1 of that
6 target year versus having flexibility in the following
7 year if needed.

8 MS. REYNOLDS: Right, and so I think
9 you're -- the area you're discussing is down in the
10 section of the rule that refers to what you do with
11 the -- with the I believe it's called the compliance
12 report, and that's where it describes how you will --
13 how you will respond to what actually happened. Staff
14 does recognize that what you have under contract on
15 January 1st, that the actual number of RECs is going to
16 vary.

17 CHAIR DANNER: Ms. Zahnnow, did you have
18 anything you wanted to add?

19 MS. ZAHNOW: Yeah, I don't want to belabor
20 it, but -- but I would just ask that, you know -- I -- I
21 continue to agree with Shawn, and I think it will
22 continue to be a timing issue and that we just ask
23 that -- that you consider both the statute and the regs
24 and -- and kind of really thoughtfully look at the --
25 the timing issue. But thank you very much for -- for

1 taking our comments.

2 CHAIR DANNER: All right. Thank you for --
3 for participating this morning, and we will take those
4 under advisement.

5 Commissioners, is there questions on this
6 issue for Ms. Reynolds or Mr. Bonfield or Mr. Rector?

7 COMMISSIONER RENDAHL: No, just that maybe
8 there needs to be some conversation after this workshop
9 to make sure everyone fully understands what's -- what's
10 in the rules.

11 CHAIR DANNER: Yeah, agreed.

12 All right. Thank you.

13 Kara Durbin, are you on the line?

14 MS. DURBIN: I am. Can you hear me?

15 CHAIR DANNER: Yes, thank you.

16 MS. DURBIN: Thank you, Chair Danner. Good
17 morning and good morning, Commissioners Rendahl and
18 Balasbas. For the record, my name is Kara Durbin,
19 spelled K-a-r-a, D-u-r-b-i-n, on behalf of Puget Sound
20 Energy. Thank you for the opportunity to speak this
21 morning. I will be brief.

22 We certainly appreciate all the workshop
23 dialogue, some of which as -- as Andrew noted, happened
24 in person at the earlier part of this year in January,
25 and all the opportunities this year for stakeholder

1 review and comment over the past several months. We
2 appreciate that.

3 Really just have a couple of brief comments
4 to make. I'll note we're generally comfortable with the
5 rule language as it stands today. I will certainly take
6 back the REC discussion that we -- that Avista in past
7 has raised and -- and run that by some of our folks too
8 to think that through a bit more. But for today, I'll
9 just make a couple brief comments that are also
10 reflected in our written comments filed in May and
11 subsequently in July.

12 First, we -- we appreciate the Commission
13 reissuing the CR-102 in this proceeding to make that
14 substantive change that Andrew mentioned, modifying the
15 definition of low income. We think that's important and
16 that defining low income broadly and flexibly at this
17 point including both 200 percent of federal poverty
18 level as well as up to 80 percent area of median income,
19 or AMI, whichever's greatest, we think this allows
20 utilities the flexibility to customize the eligibility
21 of their program in a way that best fits the needs of
22 their customers. And we think in some cases that may
23 mean eligibility that's a bit higher than 200 percent of
24 federal poverty level. So in some areas where that
25 makes sense, and so we just appreciate the Commission

1 making that change and -- and giving utilities that --
2 that flexibility.

3 On a related note with respect to
4 prioritizing customers who have a higher energy burden,
5 I would just note that we still maintain there may be
6 some implement challenges with our energy assistance
7 program, at least as they're currently structured and
8 administered today. You know, that said, we recognize
9 this is an important focus area of CETA, and we look
10 forward to further guidance from the Commission and, you
11 know, acknowledge that how our assistance programs are
12 implemented today may change over time as we look at
13 ways to place more programmatic emphasis on the energy
14 burden and those customers that do have a higher energy
15 burden. So we look forward to more discussion with the
16 Commission stakeholders and our partnering agencies on
17 how to do that.

18 The second point I just want to make is with
19 respect to the low income conservation language in the
20 rule, and we certainly appreciate the changes that were
21 made in the CR-102 clarifying that that obligation to
22 fully fund low income conservation does include the
23 ability for our -- our agencies to leverage other
24 funding sources in combination with the utility funds.

25 As Andrew noted, there was one minor edit

1 made in the current rule language. I mean, I would say
2 that we preferred the language that was incorporated
3 previous in the CR-102, and we don't necessarily think
4 that those clarifying edits are really necessary, but
5 we -- we can certainly live with this language.
6 We're -- we're fine with it. So thank you very much for
7 your time this morning.

8 CHAIR DANNER: All right. Thank you. And I
9 want to repeat the comments I made in another rulemaking
10 workshop that we had not too long ago, and that is just,
11 you know, as we're working through all of these CETA
12 rules, I think what we're on is an evolutionary path.
13 There's some things that we're doing for the first time,
14 we're going to figure them out, and if we have to make
15 course corrections along the way, we will do so as we
16 learn more.

17 But, you know, this is not necessarily one
18 and done, although I ask everyone to comply with
19 whatever rules are in effect at the time, but -- but
20 certainly, you know, we -- we do recognize that we're
21 all on a learning curve here and we're just going to
22 comply with the statutes and -- and try to make the best
23 choices as we go forward and we'll make adjustments if
24 necessary.

25 Are there any questions for Ms. Durbin,

1 Commissioners?

2 All right. Hearing none, thank you very
3 much.

4 Let me ask if there's others on the line who
5 wish to make comments this morning?

6 MS. PAISNER: Hi, this is Ann Paisner with
7 Public Counsel. We would like to just --

8 CHAIR DANNER: Yes, -- yes, go ahead, and,
9 again, will you spell your name for the court reporter?

10 MS. PAISNER: Yes, first name's Ann, A-n-n,
11 and last name is Paisner, P-a-i-s-n-e-r. I'm an
12 assistant attorney general in the Public Counsel Unit of
13 the Washington State Office of the Attorney General, and
14 with me on the phone today is Corey Dahl, who is a
15 regulatory analyst with Public Counsel.

16 We just would like to express our
17 appreciation for this process and thank the Commission
18 for the opportunity to provide comments, both written
19 and on the record today. We appreciate the thought and
20 effort that went into the rulemaking process. We also
21 would like to express our support for the draft rules as
22 a whole and would like to highlight three areas in
23 particular.

24 So the first -- first item in the definition
25 of WAC 480-109-060(22), we would like to express our

1 support for the revision that defines low income to
2 reflect the maximum limit in CETA and defined as the
3 higher of either 80 percent area median income or 200
4 percent of the federal poverty level adjusted for
5 household size.

6 And second, we would like to highlight WAC
7 480-109-060(14) for the definition of energy assistance
8 need, a threshold for energy burden at 6 percent of
9 annual household income used to pay annual home energy
10 bills. After discussion with the UTC Staff and other
11 stakeholders, Public Counsel accepts this language.

12 And third, Public Counsel supports the
13 revised language regarding low income weatherization in
14 WAC 480-109-100(10)(a). We view this as permitting
15 utilities to leverage all available funding streams for
16 that low income weatherization.

17 So thank you for the opportunity for -- to
18 participate today in the adoption hearing, and Mr. Dahl
19 and I are available to answer any questions that the
20 Commission may have for us.

21 CHAIR DANNER: All right. Thank you very
22 much.

23 Commissioners, are there any questions for
24 Public Counsel?

25 Okay. Hearing none, thanks for your

1 participation this morning.

2 Are there others who wish to comment this
3 morning?

4 MR. COLLINS: Good morning, Chairman. This
5 is Shawn Collins with The Energy Project. Can you hear
6 me?

7 CHAIR DANNER: Yes, good morning.

8 MR. COLLINS: Good morning. For the record,
9 my name is Shawn Collins, S-h-a-w-n, C-o-l-l-i-n-s, and
10 I'm the director of The Energy Project. I just wanted
11 to thank Commission, companies, and stakeholders for the
12 robust process and briefly mention two areas of -- of
13 the rulemaking here.

14 One is echoing the definition of low income
15 under 480-109-060. Energy Project is in support of the
16 definition including 200 percent of federal poverty
17 level and 80 percent of AMI, whichever is greater.

18 Additionally, I want to voice support for
19 480-109-110, Sub A with respect to the most recent edit
20 there, which includes the do not prohibit language. We
21 feel like that will allow agencies to be able to
22 leverage federal, state, and other funds to get this
23 work completed and to clarify for -- for utilities and
24 agencies the role for utilities providing us funding
25 sources.

1 So with those comments, that is -- concludes
2 my...

3 CHAIR DANNER: All right. Thank you very
4 much.

5 Are there questions for Mr. Collins?

6 All right. Hearing none, thank you very
7 much for your participation this morning.

8 Are there others on the call who wish to
9 participate?

10 MS. BOSH: This is Joni Bosh with Northwest
11 Energy Coalition.

12 CHAIR DANNER: Good morning. Go ahead.

13 MS. BOSH: Okay. I wasn't sure you could
14 hear me. I punched [sic] before. This is -- my name is
15 Joni, J-o-n-i, Bosh, B-o-s-h, with the Northwest Energy
16 Coalition. I will echo the same comments that Shawn
17 Collins just made. We're pleased to see the edit that
18 was made to 110(a) on the programs and the definition
19 correction that's in low income.

20 I think some of the other suggestions we had
21 maybe in the future we'll look at again, but we're
22 supportive of the rules as they are. And thank you very
23 much for having this opportunity to participate.

24 CHAIR DANNER: Thank you very much.

25 Any questions for Joni Bosh?

1 All right. Hearing none, thank you.

2 Is there anyone else on the call who wishes
3 to make comments before the Commission?

4 Going once --

5 MR. BONFIELD: Chairman Danner, Shawn
6 Bonfield for Avista Utilities, and I would like to make
7 one quick clarification. I -- I did -- I misspoke
8 earlier on Avista not bringing up the acquisition
9 discussion we had. We did address that in our comments
10 filed in April. I have them in front of me, but in --
11 in the moment, I overlooked that, and so I just wanted
12 to clarify that we did raise that issue back in April.
13 Thank you.

14 CHAIR DANNER: All right. Thank you for
15 that correction. Very good.

16 So all right. We will take all the comments
17 this morning under advisement. Let me make one more
18 call for comments if there's anyone who wishes to
19 participate this morning? All right. Hearing nothing,
20 I will, with my colleagues, go back, we will take this
21 matter under advisement, we will get these rules out in
22 due course.

23 I too want to do a shout-out to the
24 rulemaking team, all of the -- the names that Andrew
25 mentioned this morning. I think the team has done a

1 great job. Andrew Rector, Nikita Bankoti, Kate
2 Griffith, Andrew O'Connell, Deb Reynolds, Jeff Roberson,
3 Jennifer Snyder, Kendra White, and Jim Woodward, thank
4 you all very much for your hard work on this.

5 And so with that, let me turn to my
6 Commissioners. Do you have any closing comments before
7 we adjourn?

8 COMMISSIONER RENDAHL: This is Commissioner
9 Rendahl. I just want to thank the Staff and all the
10 participants in working on all of the detailed issues.
11 As Chair Danner said, this is really an iterative
12 process, and we're trying to make sure that we all
13 understand the requirements of CETA. And there may be
14 some time as we go forward that we need to adjust, but I
15 appreciate everyone's effort in getting -- getting these
16 rules to where they are right now.

17 CHAIR DANNER: All right. Thank you.
18 Commissioner Balasbas, any -- anything to
19 add?

20 COMMISSIONER BALASBAS: No, I -- no, I will
21 just echo those comments and thank everyone for their
22 comments at this stage in today's hearing.

23 CHAIR DANNER: All right. Thank you.

24 Mr. Rector, is there anything to -- anything
25 more to come before us this morning?

1 MR. RECTOR: I would just say I appreciate
2 the Commissioners' recognition of the -- the rulemaking
3 team efforts on this. And then I wanted to make one
4 quick note as Ms. Durbin brought up additional guidance
5 in regards to CETA Section 12, which is in RCW
6 19.405.120. I'd invite all stakeholders to follow
7 Docket UE-200629 as we'll be addressing some of those
8 questions there. There is nothing in that docket at
9 this point, but the stakeholders are invited to -- to
10 follow that docket and it will be getting updates soon.

11 CHAIR DANNER: All right.

12 MR. RECTOR: That's all I had.

13 CHAIR DANNER: All right. Thank you,
14 Mr. Rector. Mr. Rector, your connection was just a
15 little bit garbled, but the -- the message to -- to
16 stakeholders to keep an eye out for Docket 200629, so
17 the issues that we've discussed today will be returning.

18 So with -- with nothing more to come before
19 us, we are adjourned. Thank you, everyone.

20 (Adjourned at 10:08 a.m.)

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C E R T I F I C A T E

STATE OF WASHINGTON
COUNTY OF THURSTON

I, Tayler Garlinghouse, a Certified Shorthand Reporter in and for the State of Washington, do hereby certify that the foregoing transcript is true and accurate to the best of my knowledge, skill and ability.

Tayler Garlinghouse

Tayler Garlinghouse, CCR 3358



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