

UTC Comment form for Energy Independence Act Rulemaking, Proposed WAC 480-109, Docket UE-131723

Submit this form by 5 PM Monday, Oct. 6, 2014 via the Commission’s Web portal at www.utc.wa.gov/e-filing or by e-mail to records@utc.wa.gov.

Supplemental Comments on behalf of: Puget Sound Energy Commenters: Dan Anderson, Phillip Popoff and Eric Englert
 Puget Sound Energy

In the first column, fill in the section or subsection of interest in the rule. In the next columns provide the specific text, proposal for change, and rationale.

(Amended) Comment 34	Draft Proposed Rule Text	PSE Proposed Rule Text Change	Rationale for proposed change
Regarding WAC 480-109-210(2)(a) All sections and subparts	“Incremental Cost Calculation”, all sections and subparts.	None	No PSE change proposed. In subsequent discussions with Mr. Jeremy Twitchell of WUTC Staff about the proposed rule, PSE understands the concerns expressed in our initial comments have been addressed in this proposed rule. Therefore, PSE no longer has concerns with this section as previously included in the Company’s comments dated October 6, 2014. The Company appreciates Mr. Twitchell taking the time to explain and clarify this section.

Comment 39 (New)	Current Text	PSE Proposed Rule Text Change	Rationale for proposed change
Regarding WAC 480-109-140	New section (140)	Conservation – Existing Settlements in Effect. These rules shall not conflict with all existing conditions resulting from previous Commission-approved settlements, agreements, Orders or attachments. In the case of conflict between these rules and an existing Commission-approved condition, the exiting Commission-approved condition will prevail/supersede.	A number of existing conditions; those in effect from Exhibit F of the 2001 General Rate Case Stipulation Agreement (Docket No UG-011571), the 2010 Electric Settlement Agreement (Sections A through J and L of Docket UE-100177) and Attachment A of Order 01, Docket UE-132043, have been altered, adapted, and moved to some sections of the WAC 480-109 revision. PSE is concerned with potentially conflicting requirements as a result, and requests clarification as to whether the rule revisions will supersede existing and/or conflicting conditions. For reference, PSE has attached to this comment filing a table comparing the three IOU’s electric conditions to the applicable and/or equivalent draft rule language, with primary emphasis on PSE’s conditions.

Comment 40 (New)	Current Text	PSE Proposed Rule Text Change	Rationale for proposed change
Regarding WAC 480-109-400	New Section (400)	<p>Agreements in place shall prevail.</p> <p>(1) If the new rules go into effect before or on January 1, 2015, any agreements relative to utility deliverables already entered into as a provision of their 2014-2015 biennial conservation plans shall prevail over the rule until the end of the 2014-2015 biennium.</p> <p>(2) If the new rules go into effect after January 1, 2015, the utilities' 2016-2017 biennial planning shall be based on the new rules, consistent with WAC 480-109-140, as long as the conditions apply.</p>	<p>PSE believes that it is necessary to avoid any potential misunderstanding of deliverables that were agreed to between the utilities and the Commission as they relate specifically to their 2014-2015 Biennial Conservation Plans. This is especially critical, given that the rules may be enacted in the middle of the biennium.</p>