

**BEFORE THE  
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION	)	DOCKETS UE-220066 and UG-220067 ( <i>Consolidated</i> )
	)	
Complainant,	)	
	)	THE ALLIANCE OF WESTERN
v.	)	ENERGY CONSUMERS' MOTION
	)	FOR LEAVE TO RESPOND TO
PUGET SOUND ENERGY	)	CENSE'S PROPOSED BUDGET
	)	
	)	
Respondent.	)	

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**I. INTRODUCTION**

1 Pursuant to WAC § 480-07-370(4), the Alliance of Western Energy Consumers (“AWEC”) requests the Commission grant it leave to file a response to the Coalition of Eastside Neighborhoods for Sensible Energy’s (“CENSE”) Proposed Budget in Support of Fund Grant (“Proposed Budget”) in the above-referenced dockets. AWEC’s response to CENSE’s Proposed Budget is being filed concurrently with this motion.

**II. BACKGROUND**

2 On February 24, 2022, in accordance with the requirements of RCW 80.28.430, the Commission approved, with limited modifications, the Washington Interim Participatory Funding Agreement (“Interim Agreement”). The Interim Agreement requires parties seeking fund grants to seek case-certification in order to be eligible to receive fund grants.<sup>1</sup> Case-certification is granted to organizations meeting the criteria set forth in Sections 5.2.1 or 5.2.2., as applicable.<sup>2</sup>

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<sup>1</sup> Docket U-210595, Interim Agreement at ¶ 5.1.

<sup>2</sup> *Id.* at ¶ 5.2.

3                   On March 3, 2022, the Commission issued Order 03, Prehearing Conference  
Order, Notice of Hearing, wherein it established the procedural schedule for this proceeding and  
required parties seeking fund grants to file proposed budgets on or before April 13, 2022.<sup>3</sup>

4                   On March 24, 2022, the Commission granted case-certification for the Customer  
Representation Sub-Fund to AWEC, CENSE, NVEC and TEP, finding that each organization  
met the requirements necessary to demonstrate eligibility to file a fund grant request.<sup>4</sup>

5                   On April 12, 2022, Administrative Law Judge Howard issued Notice Extending  
Deadline for Proposed Budgets (Due by April 25, 2022), wherein the Commission granted case-  
certified parties until April 25, 2022 to file any proposed budgets.<sup>5</sup>

6                   On April 22, 2022, AWEC filed its proposed Budget for Fund Grant, wherein it  
indicated its attempts to confer with other case-certified organizations to coordinate on budget  
requests and noted that it was not aware of any objections to its proposed budget.<sup>6</sup>

7                   On April 25, 2022, CENSE filed its Proposed Budget, wherein it included  
discussion of the participation of other parties that adequately represent the interests of  
customers. CENSE's Proposed Budget raised several questions, concerns and arguments related  
to AWEC's request.<sup>7</sup> Specifically, CENSE argues that AWEC's budget request "mentions  
nothing about the Energize Eastside project,"<sup>8</sup> and that AWEC's participation "presents  
important policy issues regarding grants under the [Customer] Representation Sub-Fund."<sup>9</sup>

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<sup>3</sup>Dockets UE-220066 and UG-220067 (Consolidated), Order 03 at ¶ 47 (Mar. 3, 2022).

<sup>4</sup> Dockets UE-220066 and UG-220067 (Consolidated), Order 08 at ¶¶ 51-56 (Mar. 24, 2022).

<sup>5</sup> See Dockets UE-220066 and UG-220067 (Consolidated), Notice Extending Deadline for Proposed Budgets at 2 (Apr. 12, 2022).

<sup>6</sup> Dockets UE-220066 and UG-220067 (Consolidated), Proposed Budget of the Alliance of Western Energy Consumers at ¶ 12 (Apr. 22, 2022).

<sup>7</sup> CENSE Budget Request at ¶ 62-68.

<sup>8</sup> *Id.* at ¶ 61.

<sup>9</sup> *Id.* at ¶ 66.

CENSE claims that the Commission's policy for funding should not apply to AWEC because its members allegedly represent Fortune 500 companies that are clearly for-profit organizations and its membership is confidential.<sup>10</sup> More broadly, CENSE argues that certain provisions of the Interim Agreement itself should be reconsidered.<sup>11</sup>

8 CENSE's arguments related to AWEC's eligibility to seek a fund grant in this proceeding, as well as reconsideration of the terms in the Interim Agreement itself, are unfounded, untimely and inappropriate at this juncture, and should therefore not be considered by the Commission when determining budget fund requests in this case. For these reasons, AWEC requests leave to respond and address CENSE's claims and arguments related to fund grants in this case.

### III. ARGUMENT

9 The preamble to WAC 480-07-370 provides that the Commission may allow other pleadings upon written motion or on the Commission's own motion. The procedural path forward on stakeholder funding is an issue of first impression for the Commission. This proceeding is one of the first in which the Commission will make determinations about funding for case-certified organizations, including AWEC. The Interim Agreement does not contain a process for responding to issues raised by parties in their various filings, particularly when those filings implicate the ability or appropriateness of another party seeking a fund grant. As such, AWEC respectfully requests the Commission grant leave for it to respond to certain arguments contained in CENSE's Proposed Budget.

10 CENSE's Proposed Budget raises concerns about AWEC's budget request, and

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<sup>10</sup> CENSE Budget Request at ¶¶ 67-68.

<sup>11</sup> *Id.* at ¶ 69.

appears to advocate that AWEC either not be eligible for funding, or not receive a fund grant due generally to the assumed makeup and financial status of its members, as well as AWEC's potential positions in this case. As such, AWEC has a vested interest in responding to the arguments in CENSE's budget request that relate to AWEC's budget request.

11                   Moreover, allowing AWEC's response provides the Commission with additional perspective on CENSE's policy issues related to the timing of payment provisions in the Interim Agreement. AWEC does not find that consideration of this issue is appropriate at this stage in the proceeding or in this docket, but nevertheless seeks to respond in the event that the Commission is inclined to grant specific changes in this case. Additionally, CENSE's budget request raises the need for a potential clarification related to the 20 percent match for expert witnesses.

12                   Finally, granting leave for AWEC to respond will not delay the proceedings. The issues raised in budget request filings have no bearing on the substantive procedural schedule in this case, and the Commission is already required to review the filings of each party. AWEC's response will also provide context and information related to CENSE's specific concerns for AWEC's budget request and assist the Commission in its decision on AWEC's budget request.

Dated this 2nd day of May, 2022.

Respectfully submitted,

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