

BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION, Complainant, v. PUGET SOUND ENERGY, Respondent.	DOCKETS UE-220066 AND UE-220067 MOTION FOR LEAVE TO FILE REPLY TO AWEC AND PSE RESPONSES TO CENSE’S PROPOSED BUDGET
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1. Pursuant to WAC 480-07-375, the Coalition of Eastside Neighbors for Sensible Energy (“CENSE”) requests to that the Commission grant it leave to file a reply to the Responses of PSE and AWEC to CENSE’s Proposed Budget in Support of Fund grant. This Commission has granted leave to both PSE and AWEC to file their responses. Because of the importance of the issues presented, CENSE files this motion to reply to these responses. CENSE submits its proposed reply with this motion.

2. BACKGROUND.

3. As the Commission indicated in its Policy Statement on Participatory Funding for Regulatory Proceedings in Docket U210595 (“the Policy Statement”), this is the first year that the Commission has addressed the implementation details of RCW 80.28.430. Though an Interim

Agreement has been agreed to by various parties, the Commission “recognizes that we do not have all the information and answers before us to outline holistically a truly effective program. We will learn by doing and continuously addressing issues that come before us, including issues we may not anticipate at this time.”¹

4. CENSE’s budget request and the responses/oppositions to it by PSE (a utility) and AWEC (an intervenor and prior participant in Commission proceedings) offer an opportunity to address policy issues concerning the workings of the funding process and the practical implementation of the Policy Statement.
5. Granting this motion for leave to file a reply to the PSE and AWEC submission will allow the Commission to thoroughly address issues regarding the practical aspects of the funding arrangement anticipated in RCW 80.28.430.
6. ARGUMENT.
7. PSE and AWEC make multiple arguments concerning why funding for CENSE, an approved intervenor that has been case-certified, should either be denied entirely or be reduced. In particular, CENSE should be entitled to address whether an impacted utility such as PSE should have a say in whether a case-certified intervenor such as CENSE should be hobbled in its effort to question a large project such as Energize Eastside. At stake is the potential inclusion of what will be more than \$300,000,000 into the PSE rate base for all customers.
8. Also at stake is the extent to which existing “large entities that previously participated in

¹Policy Statement at page 5, Paragraph 16.

proceedings before the Commission”² will be permitted to restrict whether new entities, like CENSE, will be allowed to be meaningfully involved in substantial regulatory proceedings such as this general rate case.

9. CENSE’s reply also addresses important issues of procedure, including the significant, and agreed upon, limitation that recipients of funding be non-profit organizations³.
10. Further, CENSE’s reply will consider the issue of how “highest and best use of the funds” criteria advanced by AWEC will be applied in resolving the allocation of funding if requests exceed available funds.⁴ Also at issue is how possible review by Public Counsel should impact funding levels, especially here where a specific project is at stake.⁵
11. The Policy Statement issued by the Commission indicates that: “The Commission and its administrative law judges will evaluate any funding agreements, requests for funding, proposed budgets and reimbursement requests on a case-by-case basis.”⁶ Further briefing and review of the CENSE budget request will allow the Commission to fully establish standards for review and consideration of funding requests, in an area of first impression.
12. CONCLUSION.
13. CENSE respectfully asks that its request to file a reply to the Responses of PSE and AWEC be

²Policy Statement, page 16, Paragraph 16.

³Policy Statement at page 8, Paragraph 29.

⁴See AWEC Response at page 12, Paragraph 27.

⁵See AWEC Response at page 12, Paragraph 26 (“Third, as noted by the Commission, Public Counsel will also be addressing this issue [Energize Eastside].”)

⁶Policy Statement, page 20, Paragraph 64.

granted and that the reply be permitted to be filed.

Respectfully submitted this 10th day of May, 2022.

/s/ J. Richard Aramburu

J. Richard Aramburu, WSBA #466

Attorney for Coalition of Eastside Neighbors for Sensible Energy