

**BEFORE THE
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

| | | |
|---|---|------------------------------|
| WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION |) | DOCKET UG-230393 |
| |) | |
| Complainant, |) | PETITION FOR CASE |
| |) | CERTIFICATION AND NOTICE OF |
| v. |) | INTENT TO REQUEST FUND GRANT |
| |) | OF THE ALLIANCE OF WESTERN |
| PUGET SOUND ENERGY |) | ENERGY CONSUMERS |
| |) | |
| Respondent. |) | |
| |) | |

1 Pursuant to WAC § 480-07-370(3), Order 02 issued by the Washington Utilities and Transportation Commission (“Commission”) in Docket No. U-210595, and Articles 5.2.1 and 6.2 of the Washington Extended Interim Participatory Funding Agreement (“Extended Interim Agreement”), the Alliance of Western Energy Consumers (“AWEC”) files this Petition for Case Certification (“Petition”) and Notice of Intent to Request Fund Grant (“Notice”) in the above-referenced docket.

2 In accordance with Article 6.2 of the Extended Interim Agreement, AWEC is filing this Petition and Notice.¹ AWEC is also serving this Petition and Notice on Puget Sound Energy (“PSE” or the “Company”) and each party to the proceeding. Though not parties to this proceeding, AWEC also conferred with Northwest Energy Coalition and The Energy Project,

¹ Article 6.2 requires that the Request for Case Certification and Notice of Intent to Request a Fund Grant (“Notice of Intent”) be filed on or before the date of the prehearing conference in an eligible proceeding, or at such other time as the Commission designates. AWEC was unsure whether it would request a fund grant prior to the prehearing conference in this proceeding, and therefore did not file its Request for Case Certification and Notice of Intent at that time. The Commission did not set a date for these filings as part of its prehearing conference order. As such, AWEC is filing its Request for Case Certification, Notice of Intent and Proposed Budget prior to the deadline for proposed budgets under Article 6.3.

which are also organizations found eligible to utilize the PSE customer sub-fund, and did not receive objections to AWEC’s request.

3 Pursuant to Article 6.2, AWEC identifies the PSE Customer Representation Sub-Fund as the fund from which AWEC requests a Fund Grant. AWEC is filing its Proposed Budget concurrently with this Petition for Case Certification and Notice of Intent to Request Fund Grant.

4 The Extended Interim Agreement provides funds “to qualified parties to enable them to advocate on behalf of broad customer interests in proceedings before the [Commission].”² To be eligible for funding under the Extended Interim Agreement, a Participating Organization must be (1) case-certified for (2) an Eligible Proceeding. An “Eligible Proceeding” is, among other things, “any proceeding before the Commission carried out in accordance with or under the auspices of the public service laws, Commission regulations, or Commission orders ... directly affecting one or more of the Participating Public Utilities, in which matters materially affecting the public interest are at issue.”³

5 PSE’s Tacoma LNG Tracker filing qualifies as an “Eligible Proceeding.” PSE is a Participating Public Utility under the Extended Interim Agreement.⁴ The effect of PSE’s proposed tariff revisions in this proceeding is a revenue requirement increase of \$47.6 million and an average increase of 3.45 percent in overall bills for the customers who will be affected by these tariff changes.⁵ The Commission has already found that these proposed tariff changes

² Extended Interim Agreement, Recitals.
³ Extended Interim Agreement, Article 1(c).
⁴ *Id.* Article 1(g).
⁵ Order 01 at ¶ 3 (June 8, 2023).

“might injuriously affect the rights and interests of the public, and PSE has not demonstrated that the proposed rate increases result in rates that are fair, just, reasonable, equitable and sufficient.”⁶

6 Under Article 5.1 of the Extended Interim Agreement, “[o]nly parties that are case-certified for a particular proceeding will be eligible to receive Fund Grants.” Article 5.2.1 provides the necessary criteria for being case-certified to receive Fund Grants from the Customer Representation Sub-Fund. AWEC meets each of these criteria.

7 First, AWEC is neither a for-profit organization nor a governmental entity. AWEC is a non-profit organization formed for the benefit of its members.

8 Second, AWEC represents broad customer interests. AWEC represents the class of industrial customers that take natural gas service from PSE and has several members that are PSE industrial customers. While the Commission declined to specifically define what constitutes “broad customer interests” in its Policy Statement on Participatory Funding for Regulatory Proceedings,⁷ RCW § 80.28.430(1), the statute authorizing the Extended Interim Agreement, explicitly states that “broad customer interests” includes industrial customers.

9 Third, AWEC has demonstrated in past proceedings that it is able to effectively represent PSE’s industrial customers. AWEC has been granted intervention and fully participated in many prior PSE rate proceedings, including its last general rate case, Dockets UE-220066 and UG-220067, which gave rise to the instant proceeding. AWEC routinely sponsors multiple expert witnesses that identify numerous adjustments to PSE’s revenue requirement.

⁶ *Id.* at ¶ 6.

⁷ Docket No. U-210595, Policy Statement ¶ 27 (Nov. 19, 2021).

AWEC's advocacy has directly resulted in lower energy costs both for industrial customers and for PSE's customers overall.

10 Fourth, no other party to this proceeding (and, thus, no other stakeholder that could be case-certified) adequately represents the interests of industrial customers. Moreover, as demonstrated above, the specific interests of industrial customers and the public interest will benefit from AWEC's participation in this proceeding.

11 Finally, AWEC's request for case-certification will not unduly delay this proceeding.

12 Accordingly, AWEC respectfully requests that its Petition for Case Certification be granted as provided in the Interim Agreement.

Dated this 19th day of July, 2023.

Respectfully submitted,

DAVISON VAN CLEVE, P.C.

/s/ Sommer J. Moser

Sommer J. Moser, OR State Bar No. 105260

Tyler C. Pepple, WA State Bar No. 50475

1750 S Harbor Way, Suite 450

Portland, OR 97201

(503) 241-7242 (phone)

(503) 241-8160 (facsimile)

sjm@dvclaw.com

tcp@dvclaw.com

Of Attorneys for the

Alliance of Western Energy Consumers