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**Submitted Via UTC Web Portal ([www.utc.wa.gov/e-filing](http://www.utc.wa.gov/e-filing))**

June 2, 2020

Mark L. Johnson  
Executive Director and Secretary  
Washington Utilities and Transportation Commission  
621 Woodland Square Loop SE  
Lacey, WA 98503

Submitted via: [www.utc.wa.gov/e-filing](http://www.utc.wa.gov/e-filing)

**RE: Docket No. UE-191023; Comments by Invenergy LLC**

Dear Mr. Johnson,

Invenergy LLC (“Invenergy”) appreciates the opportunity to respond to the Washington Utilities and Transportation Commission (“Commission”) Notice of Opportunity to File Written Comments (“Notice”) issued on May 5, 2020, relating to Clean Energy Implementation Plans (CEIPs) and Compliance with the Clean Energy Transformation Act (CETA), Docket No. UE-191023.

Invenergy supports the Commission’s efforts to develop clear, workable rules for utility CEIPs. The following comments address the 1<sup>st</sup> Discussion Draft Rules (Corrected) posted by the Commission on May 6, 2020.

#### **General Comment**

Invenergy considers the Discussion Draft Rules to be an excellent initial draft. Overall, the discussion draft rules are comprehensive and well-organized. As such, they provide a useful framework and include many of the specifics needed for development of the Commission’s final rules on CEIPs. The following comments are organized according to the section titles in the discussion draft rules.

#### **WAC 480-100-6XX Definitions**

The definition of “*resource need*” identifies requirements to meet resource deficits including “*capacity and associated energy*” and “*capacity needed to meet peak demand in any season*”. Invenergy suggests that “*flexibility and dispatchability*” also be added to the list of requirements. The need for each utility’s resource portfolio to have sufficient resource flexibility and dispatchability has always existed and is likely to become an increasingly important resource need as utilities increase their reliance on intermittent non-emitting resources such as wind and solar generation.

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## **WAC 480-100-650 Clean Energy Standards**

Subsection (1) of this section describes various actions that each utility must take to meet the clean energy standards under CETA. However, it is not clear whether subsection (1) simply identifies the outcomes that each utility must achieve, or if it also requires each utility's CEIP to specifically address how the utility plans to achieve the required outcomes. Invenergy suggests that subsection (1) explicitly state that the same clean energy standards that apply to actual outcomes for the use of clean energy also apply to the development of CEIPs.

Subsection (1) also states *“(1) Each utility must: (a) Eliminate coal-fired resources from its allocation of electricity by December 31, 2025”*. The meaning of “allocation of electricity” is not clear. Therefore, we recommend that the CEIP rules define this term, either in the Definitions section or in subsection (1)(a) of this section.

## **WAC 480-100-655 Clean Energy Implementation Plan or “CEIP”**

While the draft rules in this section identify various required elements of CEIPs, Invenergy recommends that the rules more specifically require each utility to develop CEIPs using a fully integrated resource portfolio approach. A holistic, rather than incremental, approach to CEIP development is needed to ensure that compliance with CETA is achieved reliably, equitably, and at least cost by planning for the utility's entire resource portfolio, including:

- acquisition and use of new resources
- any investments in and use of existing resources
- purchases and sales of electricity in wholesale markets

Another important issue involves linking utility integrated resource plans, clean energy action plans and CEIPs. Subsection (1) of this section states *“The CEIP describes the utility's plan for making progress toward meeting the clean energy standards, and is informed by the utility's clean energy action plan.”* Later, subsection (4) states *“The CEIP must describe how the specific proposed actions: ... (c) Are consistent with the utility's integrated resource plan”*. While these portions of the draft rules recognize the important linkages, more detail is needed. For example, the scope of *“informed by”* and *“consistent with”* should be defined, including identifying criteria to be used when determining whether and to what extent a utility's CEIP may diverge from its integrated resource plan or clean energy action plan.

## **WAC 480-100670 Public Participation in a CEIP**

This section lays out a detailed approach for ensuring that utility CEIPs are developed using more robust and transparent processes for public participation. Invenergy agrees with many of the specific requirements included in this section and believes that they can improve the public participation process. For example, the requirements for advisory groups (subsections (1) and (2)), advance availability of presentation materials (subsection (3)), and availability of data (subsection (9)) will help make the process more meaningful and productive.

## **WAC 480-100-765 Incremental Cost of Compliance**

*Subsection (1)(a) states “The alternative lowest reasonable cost and reasonably available portfolio must include the SCGHG in the resource acquisition decision in accordance with RCW 19.280.030 (3) (a).”* Invenergy agrees that when calculating the utility's incremental cost of compliance with CETA, the social

cost of greenhouse gas emissions should be included in both the utility's lowest reasonable cost portfolio and its alternative reasonable cost and reasonably available portfolio.

Invenergy looks forward to participating in the Commission's CEIP rulemaking activities, including upcoming stakeholder workshops.

Sincerely,/s/ Orijit Ghoshal

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