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May 17, 2013

***Via Electronic Mail***

Steven V. King  
Acting Executive Director and Secretary  
Washington Utilities & Transportation Commission  
1300 S. Evergreen Park Drive S. W.  
P.O. Box 47250  
Olympia, Washington 98504-7250

Re: Comments of Avista Utilities on the “Review Standards for Interconnection with Electric Generators” Draft Rules - Docket No. UE-112133

Dear Mr. King,

On April 17, 2013 the Washington Utilities and Transportation Commission (Commission or UTC) filed with the Code Reviser a CR-102 along with a “Notice of Opportunity to Submit Written Comments on Proposed Rules” and “Notice of Proposed Rule Adoption Hearing” in Docket No. UE-112133. The notice was intended to inform the utilities of the progress of the possible adoption of proposed revisions to WAC 480-108, Interconnection with Electric Generators. The notice also provided another opportunity to file written comments on the proposed rule amendments and to participate in the rule adoption hearing scheduled for 1:30 p.m. on Thursday, June 13, 2013.

The Commission initiated this rulemaking in December of 2011 and since that time there have been several opportunities to submit comments and attend workshops or meetings to discuss potential changes to WAC 480-108. Avista has actively participated throughout this

process. Specifically, Avista has submitted comments on five separate occasions<sup>1</sup>, participated in a Workshop in March 2012, participated in multiple Interconnection Workgroup meetings, met directly with Commission Staff to discuss current practices in October 2012, and participated in a Technical Editing Workshop on February 19, 2013.

As a result of the work done throughout the rulemaking, the Commission issued a proposed set of rules on April 17, 2013 that, if adopted, will amend and replace the current rules with the new model rules. The Commission is now seeking comments on the proposed rules.

The Company appreciates the opportunity to provide the following additional comments and recommendations:

In proposed WAC 480-108-020, Section (2)(a)(iv), change the language to what was proposed in the February 5, 2013 version of the draft rules or retain the language from current WAC 480-108-020(2) as follows:

**2/5/13 Proposed Draft Rule – Section 480-108-BBB(2)(a)(iv)**

- (A) Except as provided in subsections C, D, and E of this subsection, the generating facility must include a UL listed AC disconnect switch, accessible to electrical company personnel at any time of the day, that provides a visible break, is lockable in the open position, and is located between the production meter and the sub-panel or other connection to the generating facility.
- (B) The electrical company shall have the right to disconnect the generating facility at the disconnect switch to meet electrical company operating safety requirements.
- (C) At the electrical company's sole discretion, an interconnection customer installing and operating inverter-based UL 1741 certified systems that are interconnected through a self-contained socket-based meter of 320 amps or less may not be required to install a visible, lockable AC disconnect switch.
- (D) To maintain electrical company operating and personnel safety in the absence of an external disconnect switch, the interconnection customer shall agree that the electrical company has the right to disconnect electric service through other means if the generating facility must be physically disconnected for any reason, without liability to the electrical company. These actions to disconnect

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<sup>1</sup> January 30, 2012, May 14, 2012, September 7, 2012, December 21, 2012, and March 6, 2013

the generating facility (due to an emergency or maintenance or other condition on the electric system) will result in loss of electrical service to the customer's facility or residence for the duration of time that work is actively in progress. The duration of outage may be longer than it would otherwise have been with an AC disconnect switch.

- (E) In the absence of an external disconnect switch on inverter-based generating facilities, the interconnection customer is required to operate and maintain the inverter in accordance with the manufacturer's guidelines, and retain documentation of commissioning in accordance with the National Electrical Code. In the absence of such documentation the electric company may, with 5 days' notice and at the interconnection customer's expense, test or cause to be tested the inverter to ensure its continued operating and protection capability. The person that tests the inverter shall provide documentation of the results to both the electrical company and the interconnection customer. Should the inverter fail the performance test, the electric company may disconnect the generating facility without notice, and may require the interconnection customer to repair or replace the inverter. The cost of any such repair or replacement required by the electric company shall be the sole responsibility of the interconnection customer.

**Current 480-108-020(2)**

(2) Specific interconnection requirements.

(a) The electrical company must verify that the interconnection customer has furnished and installed on its side of the meter, a UL-approved safety disconnect switch that can fully disconnect the interconnection customer's generating facility from the electrical company's electric system. The disconnect switch must be located adjacent to electrical company meters and shall be of the visible break type in a metal enclosure that can be secured by a padlock. The disconnect switch must be accessible to electrical company personnel at all times.

(b) The requirement in (a) of this subsection may be waived by the electrical company if the interconnection customer:

(i) Provides interconnection facilities that the interconnection customer can demonstrate, to the satisfaction of electrical company, perform physical disconnection of the generating equipment supply internally; and

(ii) Agrees that its service may be disconnected entirely if generating equipment must be physically disconnected for any reason.

Such waiver granted by the electrical company to the interconnection customer must be explicit and in writing.

(c) The electrical company has the right to disconnect the generating facility at the disconnect switch:

(i) When necessary to maintain safe electrical operating conditions;

(ii) If the generating facility does not meet required standards; or

(iii) If the generating facility at any time adversely affects or endangers any person, the property of any person, the electrical company's operation of its electric system or the quality of electrical company's service to other customers.

As previously stated in the Company's comments<sup>2</sup>, the existing interconnection rules under WAC 480-108 require an external disconnect switch. The lockable visual open blade type disconnect switch that Avista requires is in compliance with the National Electric Safety Code (NESC) Section 444.C. The NESC requires a visual open point that can be tagged, isolating any source of power from work locations requiring clearances for the personnel to work a section of the electrical system. This would have to be accessible by the utility personnel and be able to be locked open. This is regardless of the size or type of generation. The generation can either be net-metered or connected directly to the electrical system in the case of PURPA.

It has been argued that the meter can be removed to obtain the visual open point but the meter is not designed to be a switching device and if removed under load may cause a safety hazard and may damage equipment.

If the disconnect switches are not required, the utility personnel would need to turn off the entire generation customer's electrical service, and possibly all other customers on the same disconnect switch feeding a certain transformer, creating a larger electrical outage than otherwise needed had the Company used a simple disconnect switch to render the customer generator inoperable during electrical line repairs by Avista.

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<sup>2</sup> March 6, 2013.

The Company has been aware of instances where customer generator inverters may be reprogrammed at the customer site or have been programmed incorrectly at the manufacturer to disable the anti-islanding protection requirement, which is part of the UL-1471 requirement, and generate back to the utility during power outages. The Company strongly recommends the use of a disconnect switch to eliminate any possibility of generation back feed.

Based on current practices and the concern mentioned above, the Company recommends the Commission retain the language in the rules that give the utility the option to require a disconnect switch for all systems, regardless of size. By giving the Company the option of requiring the switch, it would alleviate safety concerns raised by our employees who work on the electric system.

In proposed WAC 480-108-030, Section (10)(c)(iii)(A), modify the following language at the end of the paragraph.

*The interconnection customer is responsible for all reasonable annual or monthly ongoing operation, ~~and~~ maintenance, **and replacement** costs associated with the interconnection facilities.*

The Company would like to include “and replacement” to the language as the interconnection customer should be responsible for replacement costs in addition to ongoing operation and maintenance costs.

Lastly, the Company would like to express its continued concern regarding third party ownership of interconnection facilities. The Company believes that this very complex issue warrants further discussion and proper vetting through the legislative process before any changes are made through the rulemaking process.

Avista appreciates the opportunity to comment on the draft rules and supports the Commission’s desire to make the interconnection process safe, reliable and not overly burdensome for the Company and Avista customers and looks forward to participating in the Workshop scheduled on Thursday, June 13, 2013.

If you have any questions regarding these comments, please contact Warren Clark at 509-495-4186 or myself at 509-495-4975.

Sincerely,

*/s/Linda Gervais*

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