

**BEFORE THE WASHINGTON STATE  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of	)	DOCKET UE-061895
Adopting Rules To Implement the	)	
Energy Independence Act	)	GENERAL ORDER R-546
	)	
RCW 19.285	)	
	)	ORDER CORRECTING TEXT OF
WAC 480-109	)	WAC 480-109-007(18)(j), WAC
	)	480-109-030(1), and WAC 480-109-
Relating to Electric Companies	)	030(3)(b) SUBMITTED FOR
Acquisition of Minimum Quantities of	)	ADOPTION
Conservation and Renewable Energy	)	
	)	
.....	)	

1 On November 27, 2007, the Washington Utilities and Transportation Commission (Commission) filed with the Code Reviser an Order Adopting Rules Permanently in WAC 480-109, related to Electric Companies—Acquisition of Minimum Quantities of Conservation and Renewable Energy as Required by the Energy Independence Act (Chapter 19.285 RCW). The Order is filed at WSR #07-24-012. The effective date for the adoption of the rules is December 28, 2007.

2 Recently the Commission learned that an intended addition of a phrase from subsection (18)(j) of WAC 480-109-007 as published at WSR #07-24-012, was erroneously omitted in the rule submitted for adoption. The phrase that should have been included in subsection (18)(j) of WAC 480-109-007 is set out below in italics:

**WAC 480-109-007 Definitions.**

*(18)(j) Eligible renewable resources produced by biomass facilities should be based on the portion of the fuel supply that is made up of eligible biomass fuels.*

- 3 In addition, the Commission learned that the intended term “portfolio” from subsection (1) of WAC 480-109-030 as published at WSR 07-24-012, was erroneously included in the rule submitted for adoption. The term that should have replaced “portfolio” is set out below in italics:

**WAC 480-109-030 Alternatives to the renewable resource requirement.**

(1) A utility may invest at least four percent of its total annual retail revenue requirement on the incremental costs of eligible renewable resources, renewable energy credits, or a combination of both. The incremental cost of an eligible renewable resource is the difference between the levelized delivered *portfolio system* cost of the eligible renewable resource and the levelized delivered cost of an equivalent amount of reasonably available nonrenewable resource. The *portfolio system* analysis used will be reasonably consistent with principles used in the utility's resource planning and acquisition analyses.

- 4 The Commission also learned that a date from subsection (3)(b) of WAC 480-109-030 as published at WSR 07-24-012, was erroneously omitted in the rule submitted for adoption. The date that should have been included is set out below in italics:

(b) *After December 7, 2006*, all new or renewed ownership or purchases of electricity from nonrenewable resources other than daily spot purchases were offset by equivalent renewable energy credits.

- 5 Failure to add the phrase “Eligible renewable resources produced by biomass facilities should be based on the portion of the fuel supply that is made up of eligible biomass fuels” to WAC 480-107-007(18)(j), replace the term “portfolio” with “system” in WAC 480-109-030(1), and add the time period “After December 7, 2007” to WAC 480-109-030(3)(b), submitted to the Code Reviser with the Adoption Order constitutes an oversight. Accordingly the Commission enters this Order to correct the rules by adding the phrase to WAC 480-109-007(18)(j), replacing the term “portfolio” with “system” in WAC 480-109-030(1), and adding the time period “After

December 7, 2006” in subsection (3)(b) of WAC 480-109-030. A copy of the corrected rules is attached to this Order as Appendix A.

DATED at Olympia, Washington, December 10, 2007.

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

MARK H. SIDRAN, Chairman

PATRICK J. OSHIE, Commissioner

PHILIP B. JONES, Commissioner