



ATTORNEY GENERAL OF WASHINGTON

Public Counsel

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December 17, 2021

SENT VIA WEB PORTAL

Amanda Maxwell
Executive Director and Secretary
Washington Utilities and Transportation Commission
P. O. Box 47250
Olympia, WA 98504-7250

Re: *2022/2023 Utility Biennial Conservation Plans,*
Dockets UE-210826 and UG-210827

Dear Director Maxwell:

The Public Counsel Unit of the Washington State Attorney General's Office ("Public Counsel") respectfully submits these comments in response to the Washington Utilities and Transportation Commission's ("UTC" or "Commission") Notice of Opportunity to File Written Comments, issued on November 10, 2021. These comments address the Biennial Conservation Plans for Avista Corporation (the "Company"). Public Counsel appreciates the opportunity to comment.

Public Counsel's Recommendation

Public Counsel generally recommends the Commission approve the Company's Biennial Conservation Plans, subject to the electric and natural gas conditions presented by Commission Staff.

On November 1, 2021, the Company filed with the Commission reports concerning biennial conservation targets ("Biennial Conservation Plans" or "BCPs") for the period 2022–2023, pursuant to RCW 80.28.380 for natural gas services and RCW 19.285.040(1) and WAC 480-109-120(1) for electric services.

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The Company submit for approval the following targets:

Utility	Electric			Natural Gas
	10-year Conservation Potential	2022/2023 Total Conservation Goal (MWh)	2022/2023 EIA Penalty Threshold (MWh) ¹	Total Target (Therms)
Avista Corporation	507,829	106,644	91,054	2,302,056

Public Counsel has reviewed each of the filings and participated in stakeholder engagement that assisted in drafting the filings, including attending and participating in the energy efficiency and conservation advisory groups of each utility.

Public Counsel echoes the concern of other commenters related to the volume of Avista Corporation’s residential savings forecasted through a pilot program. Avista’s Always-On Behavioral Pilot (“Always-On”) represents over 50 percent of the total 2022 forecasted electric residential program savings.² Always-On was forecasted to launch in late 2021³, and has been delayed until Q2 of 2022.⁴ Concern remains regarding further delays and the success of its implementation. Residential savings relying so heavily on a new program that is not yet permanently established presents a risk.

In addition to reviewing the BCP documents, Public Counsel assisted Commission Staff and other stakeholders in drafting a list of conditions in this Docket intended to ensure conservation program accountability and efficacy. The final version of this document has not yet been filed, and Public Counsel reserves the right to change their comments regarding the conditions based on the final version.

Broadly, Public Counsel anticipates the finalized conditions will require the Company to retain responsibility for compliance with applicable WAC and RCW, continue efforts with advisory groups, increase transparency regarding program selection and achievement, appropriately calculate cost-effectiveness, ensure equitable distribution of energy and non-energy benefits to named communities, and continue innovative research, among other things.

Public Counsel believes the conditions presented may mitigate some of our concerns. Particularly, the increased transparency and collaboration with the advisory groups will allow stakeholders to evaluate Always-On through its implementation and provide feedback. Public Counsel recommends the Commission approve the BCPs, subject to the conditions set forth. We believe these conditions adequately protect ratepayers and promote achievement on behalf of the

¹ See Report on 2018 Washington State Investor Owned Utility Energy Efficiency Joint Advisory Group Activities and Outcomes at 6, *In re Puget Sound Energy Report Identifying its 2018-2019 Electric Biennial Conservation Target Under RCW 19.285.040, and WAC 480-209-120*, Docket UE-171087 (filed on June 11, 2019). Consistent with Commission standard practice, each electric utility subtracted Northwest Energy Efficient Alliance (NEEA) forecasted savings.

² Always-On represents 4,356,000 of the total forecasted 8,484,327 kWh.

³ Joshua DiLuciano, Exh JDD-2r at 56, *Wash. Util. Transp. Comm’n. v. Avista*, Dockets 200900 et al., (filed March 5, 2021).

⁴ Appendix B – Biennial Conversation Plan at 41, *Avista Corp.d/b/a Avista Utilities Clean Energy Implementation Plan*, Docket UE-210628 (filed Sep. 1, 2021).

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Company. We appreciate the effort and collaboration on behalf of Commission Staff, The Energy Project, NW Energy Coalition, and the Company in drafting this thorough list of conditions and reviewing the BCPs.

Public Counsel appreciates the opportunity to submit these comments. If you have any questions about this filing, please contact Shay Bauman via e-mail at Shay.Bauman@ATG.WA.GOV.

Sincerely,

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ANHP/BCH