

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of

PUGET SOUND ENERGY,

Petitioner,

Seeking Exemption from the Provisions
of WAC 480-80-111(1)(b) Relating to
Substitute Tariff Sheets

DOCKET UE-240138

ORDER 01

GRANTING EXEMPTION FROM
RULE

BACKGROUND

- 1 On April 11, 2024, Puget Sound Energy (PSE or Company) filed with the Washington Utilities and Transportation Commission (Commission) annual revisions to its Electricity and Natural Gas Conservation Service Riders, both Schedule 120, with an effective date of May 1, 2024.
- 2 On April 11, 2024, after discussion with Commission staff (Staff), the Company filed substitute tariff sheets that corrected a mistake in how the Company allocated costs between its natural gas and electric programs. This correction increased the electric revenue requirement by \$116,631.
- 3 In the same substitute tariff sheets filed on April 11, 2024, the Company included a substitute cover letter which requested an exemption from WAC 480-80-111(1)(b).¹ WAC 480-80-111(1)(b) states that a utility may file substitute tariff sheets within a pending tariff filing if “(t)he change does not increase the rates contained in the pending tariff sheet.” The Company justified the exemption with the rationale that, while the substitute tariff sheets result in an overall 0.1 percent increase to the electric revenue requirement and a corresponding increase to some rates, the increases are slight. As a result of the revised filing contained in the substitute tariff sheets and Petition, a typical

¹ WAC 480-07-110(2) and WAC 480-07-370(3) outline the process through which persons may petition the Commission for an exemption to applicable rules. Staff notes that PSE failed to comply with the requirements of such a petition, but recommends that the Commission nevertheless treat the exemption request as properly before it. The Commission agrees to this treatment based on the facts here, but notes that it retains the discretion to reject future exemption requests that fail to comply with the relevant rules.

residential customer using 800 kWh per month would experience an increase of \$0.84 per month or 0.77 percent, consistent between PSE's initial and revised filing.

4 Staff has reviewed the proposed tariff revisions and recommends that the Commission find them to be fair, just, reasonable, and sufficient. Staff recommends that the Commission issue an Order approving the Petition and therefore allow the Company's annual revisions to its Electricity Conservation Service Rider to take effect May 1, 2024.

DISCUSSION

5 We agree with Staff's recommendation and grant PSE's Petition. Pursuant to WAC 480-07-110, the Commission may, in response to a request or on its own motion, grant an exemption from its own rules when "consistent with the public interest, the purposes underlying regulation, and applicable statutes."² WAC 480-80-111(1)(b) states that a utility may file substitute tariff sheets within a pending tariff filing if "(t)he change does not increase the rates contained in the pending tariff sheet." Although the substitute tariff revisions, filed on April 11, 2024, include slight increases to electric rates, it is appropriate to allow the Company an exemption from WAC 480-80-111(1)(b) because the increase is slight and the tariff revisions are fair, just, reasonable, and sufficient. We agree with Staff's recommendation to approve the Petition contained within the cover letter filed on April 11, 2024, and allow the Company's annual revisions to its Electricity Conservation Service Rider to take effect May 1, 2024.

FINDINGS AND CONCLUSIONS

- 6 (1) The Commission is an agency of the State of Washington vested by statute with the authority to regulate the rates, rules, regulations, practices, accounts, securities, transfers of property and affiliated interests of public service companies, including electric companies.
- 7 (2) PSE is engaged in the business of providing electric services within the state of Washington and is a public service company subject to subject to the jurisdiction of the Commission under the provisions of RCW 80.28.

² See also WAC 480-80-015.

- 8 (3) PSE is subject to WAC 480-80-111(1)(b), which provides that companies may file substitute tariff sheets within a pending tariff filing if the change does not increase the rates contained in the pending tariff sheets.
- 9 (4) WAC 480-80-015 provides that the Commission may grant an exemption from the provisions of any rule in WAC 480-80, if consistent with the public interest, the purposes underlying regulation and applicable statutes.
- 10 (5) This matter was brought before the Commission at its regularly scheduled meeting on April 25, 2024.
- 11 (6) The tariff revision presently under consideration results in rates that are fair, just, reasonable, and sufficient.
- 12 (7) After reviewing the tariff revisions filed in Docket UE-240138 by PSE and giving due consideration, the Commission finds it is consistent with the public interest to allow the revised rates and tariff revisions filed on April 11, 2024, to become effective on May 1, 2024.

ORDER

THE COMMISSION ORDERS:

- 13 (1) Puget Sound Energy's Petition is GRANTED and the Company is given an exemption from WAC 480-80-111(1)(b) as discussed in paragraph 5 of this Order.
- 14 (2) The tariff revisions Puget Sound Energy filed in Docket UE-240138 on April 11, 2024, shall become effective on May 1, 2024.
- 15 (3) The Commission retains jurisdiction over the subject matter and Puget Sound Energy to effectuate the provisions of this Order.

16 The Commissioners, having determined this Order to be consistent with the public interest, directed the Secretary to enter this Order.

DATED at Lacey, Washington, and effective April 25, 2024.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

JEFF KILLIP
Executive Director and Secretary