



**STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

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January 30, 2020

**NOTICE OF DATES FOR ENTRY OF DECLARATORY
ORDER AND FILING OF PROPOSED PROCEDURAL SCHEDULE**

RE: *In the Matter of the Petition of Puget Sound Energy for a Declaratory Order
Approving the Avoided Cost Rate Methodology for Power Purchases from Schedule
92 large qualified facilities pursuant to WAC 480-106-050(5), Docket UE-191062*

TO ALL INTERESTED PERSONS:

On December 31, 2019, Puget Sound Energy (PSE) filed a Petition for Declaratory Order (Petition) with the Washington Utilities and Transportation Commission (Commission). The Petition requests that the Commission approve PSE's proposed avoided cost rate methodology for power purchases from large qualified facilities (QFs) pursuant to WAC 480-106-050(5). On January 7, 2020, the Commission issued a notice inviting interested persons to respond to the Petition by January 21, 2020.

On January 21, 2020, Commission staff (Staff) filed a response to the Petition. Staff requests that the Commission extend by 60 days the date by which the Commission must enter any declaratory order. Staff states that it has not had sufficient time to thoroughly evaluate PSE's proposed methodology, solicit feedback from stakeholders, and confer with PSE about any suggested changes to the methodology. Staff contends that the extension it requests would further the public interest by enabling a more comprehensive review of PSE's proposal. Alternatively, Staff requests that the Commission convert the Petition to a petition for adjudication. The Commission received no other responses to the Petition.

By statute and Commission rule, the Commission must take one of four specified actions within 30 days of receiving a petition for declaratory order.¹ One such action is to set a

¹ RCW 34.05.240(5); WAC 480-07-930(5).

specified time within 90 days of the date the petition was filed by which the Commission will enter a declaratory order.² The Commission may extend that time for good cause.³

The Commission agrees that the public interest would benefit from providing sufficient time for Staff and stakeholders to review and evaluate the avoided cost methodology PSE proposes in the Petition. The Petition raises complex issues of law and fact. The Commission recently adopted revisions to its rules governing utilities' relationships with QFs, including but not limited to the avoided costs utilities must pay for the electricity the QFs provide. The Commission and interested persons need to determine the extent to which PSE's proposed methodology is consistent with these rules, any applicable federal law, and the public interest, as well as to negotiate any suggested changes. We find that the total of 150 days that Staff requests will provide the time necessary to make that determination.

Accordingly, the Commission extends by 60 days the 90 day deadline by which it will enter a declaratory order in response to the Petition. The Commission also requires Staff to confer with PSE and stakeholders and to propose a schedule for filing comments on the Petition and any other procedures they propose for evaluating PSE's proposed avoided cost methodology.

THE COMMISSION GIVES NOTICE that it will enter a declaratory order in response to the Petition no later than May 28, 2020. PSE, Staff, and any other interested persons must confer and propose a procedural schedule for the Commission's consideration of the Petition by February 13, 2020.

/s/ Gregory J. Kopta
GREGORY J. KOPTA
Administrative Law Judge

² RCW 34.05.240(5)(c); WAC 480-07-930(5)(c).

³ RCW 34.05.240(6); WAC 480-07-930(6).