

**BEFORE THE WASHINGTON UTILITIES AND  
TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND	)	
TRANSPORTATION COMMISSION,	)	
	)	<b>Docket No. UE-100177</b>
Complainant,	)	
	)	<b>NW Energy Coalition's</b>
v.	)	<b>Comments on PSE's Compliance</b>
	)	<b>Filing with Order 04</b>
	)	
PUGET SOUND ENERGY, INC.,	)	
	)	
Respondent.	)	
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**I. Introduction.**

1. In accordance with the Commission's July 1 Notice of Opportunity to Comment, the NW Energy Coalition submits these comments regarding PSE's filing to comply with Order 04 in Docket No. UE-100177.
2. Order 04 requires PSE to file a biennial conservation target that is consistent with the projected ten-year potential it identified on December 31, 2009, and that incorporates the IRP-based numbers PSE originally used in projecting its potential.<sup>1</sup>

**II. PSE's Re-Filed Report Complies with Order 04.**

3. On June 18, PSE re-filed its biennial target ("Compliance Report") in response to Order 04.<sup>2</sup> The Compliance Report remedies the legal defects contained in PSE's initial Biennial Conservation Target Report:<sup>3</sup>

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<sup>1</sup> Order 04 at ¶¶ 68, 99, 105, 135.

<sup>2</sup> Puget Sound Energy's Compliance with WAC 480-109-010(3): Report Identifying PSE's Ten-Year Achievable Conservation Potential and Biennial Conservation Target, Docket UE-100177 Report for 2010 and 2011.

<sup>3</sup> Report Identifying PSE's Ten-Year Achievable Conservation Potential and Biennial Conservation Target, filed on January 29, 2010.

- The Compliance Report identifies PSE’s ten-year achievable conservation potential at 3,748,773 MWh at the customer meter level.<sup>4</sup> This is consistent with the potential PSE identified on December 31.<sup>5</sup>
- The Compliance Report identifies PSE’s 2010-2011 biennial target at 622,000 MWh at the customer meter level.<sup>6</sup> This point target falls within the low end of the range PSE identified on December 31.<sup>7</sup>
- In accordance with WAC 480-109-010(3)(c) and as discussed in Order 04 (at ¶ 104), the Compliance Report includes sufficient detail regarding the technologies, data collection, processes, procedures and assumptions PSE used to develop its conservation potential assessment.<sup>8</sup>
- In accordance with WAC 480-109-010(3)(a) and as discussed in Order 04 (at ¶ 99), the Compliance Report outlines the extent of public and Commission Staff involvement in the development of PSE’s IRP-based numbers used to project its conservation potential.<sup>9</sup>

### **III. Procedural Questions Remain, However.**

4. Order 04 and the Compliance Report address the legal defects contained in PSE’s initial report filed on January 29, 2010. However, parties and other stakeholders have not yet had an opportunity to present the Commission with their perspectives on whether additional conditions

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<sup>4</sup> Compliance Report at p. 1, §2.

<sup>5</sup> *Id.*, Attachment A.

<sup>6</sup> *Id.* at p. 2, §3.

<sup>7</sup> That point target also reflects PSE’s currently approved conservation target of 71.0 aMW. As discussed in the Coalition’s Motion for Summary Determination (at §6), the Commission allowed PSE’s conservation program tariff filing to become effective on January 1, 2010 with an energy savings goal of 71.0 aMW for 2010-2011 (Docket No. UE-091859). The Commission approved a budget to achieve that savings level in Docket No. UE-100382.

<sup>8</sup> Compliance Report at § 6.

<sup>9</sup> Compliance Report at § 7.

should apply to PSE's biennial target and future I-937 compliance procedures.<sup>10</sup> This dialogue would be substantive in nature. Hence, we propose that the Commission conclude the approval process for PSE's biennial target through its Open Meeting process, which would allow all interested stakeholders an opportunity to participate and comment regarding the development of additional conditions.

#### **IV. Conclusion**

5. We recommend the Commission find that PSE's Compliance Report complies with Order 04. We further recommend the Commission conclude the adjudicative phase of this proceeding (involving the motions for summary determination), and return to the Open Meeting process to (a) approve a 2010-2011 biennial conservation target for PSE, and (b) hear comment regarding the conditions that should be associated with the final approved target.

Dated this 8<sup>th</sup> day of July, 2010



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NW Energy Coalition  
Danielle Dixon, Senior Policy Associate

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<sup>10</sup> The development of such conditions would be consistent with the I-937 conservation proceedings that involve Avista and PacifiCorp. In Docket No. UE-100176, the Commission approved a "Conditions List" associated with Avista's I-937 biennial conservation target filing. In Docket No. UE-100170, PacifiCorp's I-937 biennial conservation target filing is scheduled for final consideration at the Commission's Open Meeting on July 15. Stakeholders in that Docket have negotiated a similar Conditions List, which Commission Staff plans to file with its Open Meeting memo.