



PROPOSED RULE MAKING

CR-102 (June 2004)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Washington Utilities and Transportation Commission

- Preproposal Statement of Inquiry was filed as WSR 10-13-161; or
 Expedited Rule Making--Proposed notice was filed as WSR _____; or
 Proposal is exempt under RCW 34.05.310(4).

- Original Notice
 Supplemental Notice to WSR _____
 Continuance of WSR _____

Title of rule and other identifying information: (Describe Subject)

WAC 480-100-405, WAC 480-100-415, WAC 480-100-425, and WAC 480-100-435, regarding Greenhouse Gas Emissions. Docket UE-100865.

Hearing location(s):

Commission Hearing Room 206
Second Floor, Richard Hemstad Building
1300 S. Evergreen Park Drive S.W.
Olympia, WA 98504-7250

Date: October 27, 2010 Time: 1:30 p.m.

Date of intended adoption: October 27, 2010
(Note: This is **NOT** the **effective** date)

Submit written comments to:

Name: Washington Utilities and Transportation Commission
Address: 1300 S. Evergreen Park Drive S.W.
P.O. Box 47250
Olympia, Wa. 98504-7250
e-mail records@utc.wa.gov
fax (360) 586-1150 by (date) October 4, 2010

Assistance for persons with disabilities: Contact

Susan Holman by October 13, 2010
TTY (360) 586-8203 or (360) 664-1243

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

The proposed rules would implement statutory changes in RCW 80.80.010, RCW 80.80.040 and RCW 80.80.060 enacted in the state of Washington's 2009 regular legislative session. On April 20, 2009, and May 11, 2009, respectively, the Governor signed Senate Bill 5989, Chapter 147, Laws of 2009 and House Bill 2129, Chapter 448, Laws of 2009 with the common title "Greenhouse Gas Emissions Performance Standard."

The proposed rules revise standards and/or procedures under which electric utilities, either inside or outside of a general rate case, will seek a determination by the Washington Utilities and Transportation Commission that their long-term financial commitments comply with the greenhouse gas emissions performance standards found in RCW 80.80.005, *et seq.* The proposed rules also revise standards and/or procedures under which electric utilities that do not meet the greenhouse gas emissions performance standards may request exemption from the standards from the Commission. Finally, the proposed rules include certain renewable resources, the cost for which electric utilities are allowed to defer for later Commission consideration.

Reasons supporting proposal: See above

Statutory authority for adoption: RCW 80.01.040, RCW 80.04.160 and RCW 80.80.060(8)

Statute being implemented: N/A

Is rule necessary because of a:

- Federal Law? Yes No
 Federal Court Decision? Yes No
 State Court Decision? Yes No
 If yes, CITATION:

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: September 01, 2010

TIME: 8:33 AM

WSR 10-18-092

DATE
September 1, 2010

NAME (type or print)
David W. Danner

SIGNATURE

TITLE
Executive Director and Secretary

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

None.

Name of proponent: (person or organization) Washington Utilities and Transportation Commission

- Private
 Public
 Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Danny Kermode	1300 S. Evergreen Park Drive SW, Olympia, WA 98504	(360) 664-1253
Implementation.... David W. Danner	1300 S. Evergreen Park Drive SW, Olympia, WA 98504	(360) 664-1208
Enforcement..... David W. Danner	1300 S. Evergreen Park Drive SW, Olympia, WA 98504	(360) 664-1208

Has a small business economic impact statement been prepared under chapter 19.85 RCW?

Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

No. Explain why no statement was prepared.

The proposed rules will not result in or impose more than minor costs. Because there will not be more than minor increase in costs resulting from the proposed rule changes, a SBEIS is not required under RCW 19.85.030(1).

Is a cost-benefit analysis required under RCW 34.05.328?

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

No: Please explain:

The Commission is not an agency to which RCW 34.05.328 applies. The proposed rules are not significant legislative rules of the sort referenced in RCW 34.05.328(5).