



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (October 2017) (Implements RCW 34.05.310)

Do **NOT** use for expedited rule making

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FILED

DATE: August 18, 2020

TIME: 9:03 AM

WSR 20-17-120

Agency: Washington Utilities and Transportation Commission

Subject of possible rule making: On November 7, 2019, the Washington Utilities and Transportation Commission (Commission) filed a CR-101 at WSR 19.23-005, initiating a rulemaking to incorporate statutory changes made to WAC 480-100-238 since 2006, including in Engrossed Second Substitute Senate Bill 5116, the Clean Energy Transformation Act (E2SSB 5116), and to consider other policy and process changes to create more efficient rules that adapt to a changing energy landscape. This rulemaking was assigned Commission Docket UE-190698. On January 15, 2020, the Commission filed a CR-101 at WSR 20-03-107, initiating a rulemaking to develop rules for implementing Chapter 19.405 RCW, statutory revisions to RCW 80.84.010, and additions to Chapter 80.28 RCW, as enacted in E2SSB 5116. The Commission is also considering revisions to the commission basis reporting rules in WAC 480-100-257 to the extent necessary to implement RCW 19.405.060. This rulemaking was assigned Commission Docket UE-191023. The Commission is now consolidating these rulemakings under Docket UE-191023 and will proceed to address all issues in the consolidated rulemaking. Persons who have commented or participated in both rulemakings will be included on the list of interested persons in the consolidated dockets.

Statutes authorizing the agency to adopt rules on this subject: RCW 80.01.040, RCW 80.04.160, RCW 19.280, RCW 19.405

Reasons why rules on this subject may be needed and what they might accomplish: The reasons stated in WSR 19-23-005 and WSR 20-03-107 have not changed, but the Commission has identified sufficient overlap in the issues addressed in the divergent rulemakings to render it more efficient to address them together since the Commission must incorporate changes the Washington Legislature made to RCW 19.280 during the passage of E2SSB 5116 by January 1, 2021.


Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: The Washington State Department of Commerce (Commerce) must ensure that consumer-owned utilities also meet the planning requirements as set for in E2SSB 5116. The Commission and Commerce are coordinating their processes for implementing the requirements in E2SSB 5116.

Process for developing new rule (check all that apply):

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe) The UTC uses a collaborative rulemaking process that includes stakeholder workshops, formal comments, and draft rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:

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Additional comments:	
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