



October 30, 2019

Dr. Glenn Blackmon
Manager, Energy Policy Office
Washington Department of Commerce
1011 Plum Street SE
PO Box 42525
Olympia, Washington 98504-2525

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Subject: CETA: Opportunities for Improved Public Participation in Integrated Resource Planning

Dear Dr. Blackmon:

Western Grid Group is pleased to enclose our comments in response to the Clean Energy Transformation Act (SB 5116) Rulemaking Workshop convened by the Department of Commerce on September 18, 2019. We appreciate the opportunity to provide input in this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kate Maracas".

Kate Maracas
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cc: Commissioner Ann Rendahl, UTC
Advisor Steve Johnson, UTC
Advisor Bradley Cebulko, UTC
Assistant Attorney General Lisa Gafken, Public Counsel Unit

Introduction: Western Grid Group

Western Grid Group (WGG) is a Public Interest Organization whose efforts are focused on developing policies, plans, systems, and operations necessary to support a carbon free future. WGG works throughout the Western Interconnection (WI) on evolving grid operations to integrate and support clean energy, ensure markets and market services are built to improve electricity reliability, existing transmission systems are used more efficiently, and flexibility becomes a key planning and operations criterion.

Overview and Summary

WGG provides these comments in response to the Department of Commerce's (DOC) Clean Energy Transformation Act (CETA) Rulemaking Workshop held on September 18, 2019. While the focus of the workshop and resulting invitation for stakeholder comments was primarily Section 14 of RCW 19.280.030 (Integrated Resource Planning) and Section 6 of RCW 19.404.060 (Clean Energy Implementation Plans), DOC did not exclude other possible issues that stakeholders may suggest as areas where additional or updated rules may be needed.

We believe that current language in the Washington Administrative Code regarding public participation in utility integrated resource planning (IRP) is not sufficiently clear, and does not set a proper standard for public participation that can result in successful and meaningful engagement of the public.

Indeed, there are established and proven best practices for stakeholder engagement that have been developed by the International Association for Public Participation (IAPP2; see <https://www.iap2.org/mpage/Home>), and practiced by its members worldwide since 1990. IAP2 has approximately 60 members in its Puget Sound Chapter, which includes entities such as Puget Sound Energy, the Port of Seattle, and the Seattle Tacoma International Airport. Our objectives in filing these comments are to:

- Introduce awareness of established, successful best practices for meaningful public participation;
- Demonstrate a context for which those practices can be applied to IRP proceedings in Washington state, and to make specific recommendations regarding changes to WAC 480-100-238(5);
- Clarify the distinction between current utility practices for public engagement (which seek buy-in for utility plans created essentially behind closed doors) vs. actual *involvement* of public subject matter experts and affected community stakeholders; and
- Provide enhanced transparency over IRP proceedings such that (a) DOC can ensure successful progress toward meeting the requirements of SB 5116, and (b) Washington's Utilities and Transportation Commission (UTC), as well as the Public Counsel Unity (PCU) can exercise proper authority in their formal review and/or approval of utility Clean Energy Implementation Plans.

The Essential Role of Public Participation in Utility Planning

WAC 480-100-238(5), Public participation in Integrated Resource Planning, provides that: “*Consultations* with commission staff and *public participation* are essential to the development of an effective plan. The work plan must outline the timing and extent of public participation. In addition, the commission will hear comment on the plan at a public hearing scheduled after the utility submits its plan for commission review.”

“*Consultations*” and “*public participation*” are italicized above because the phrases have specific designations under IAP2’s principles.

As noted above, IAP2 has been working globally since 1990 to apply practical and *sincere* public participation strategies to a broad array of public issues, ranging from conducting scoping processes for National Environmental Policy Act (NEPA) processes, siting major infrastructure processes, and navigating ballot referenda, to utility IRP processes (and more). WGG’s intention here is not to endorse or “tout” IAP2, but rather to exemplify an example of best practices that comprise a good model for improving public participation in our own state planning processes. To add context, the figure on the following page illustrates a “spectrum” of appropriate levels of engagement of public constituents as a function of their level of empowerment.

Worth noting in this example is that (a) the more the public is empowered to affect a decision, the higher the level of engagement should be; and (b) “consult” is defined as “listening to and acknowledging concerns”, and providing “feedback on how public input influenced a decision”. Further, “involve” is defined as ensuring that public concerns and aspirations are “directly reflected in the alternatives developed, and providing “feedback on how public input influenced a decision”.

As a Technical Advisory Group (TAG) member and IRP Advisory Group (IRPAG) stakeholder to Puget Sound Energy’s (PSE’s) 2017 and 2019 IRP cycles, I can attest that neither of those processes met the minimum standards of “consult” or “involve”. Instead, the processes consisted of a series of meetings that convened IRP and TAG members, after PSE staff had completed its own course of plans, utilizing their own economic, technology, forward costs, climate impacts, and other assumptions with no transparency to public stakeholders. In short, the utility sought “buy-in” for plans devised with no meaningful input from stakeholders. They “informed”, but did not consult or involve the public in two-way dialogue, or demonstrate evidence of public inputs to ultimate decisions.

Washington state’s community of advocates and stakeholders and affected community members is rich in both subject matter expertise and personal experiences related to environmental justice, labor concerns, and ultimately the just transition impacts that

will result from fossil plant retirements. The inputs of these stakeholders, and the sincere and transparent treatment of their input is extremely valuable to utility IRPs.

IAP2 Public Participation Spectrum

Developed by the International Association for Public Participation

INCREASING LEVEL OF PUBLIC IMPACT				
INFORM	CONSULT	INVOLVE	COLLABORATE	EMPOWER
Public Participation Goal:	Public Participation Goal:	Public Participation Goal:	Public Participation Goal:	Public Participation Goal:
To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions.	To obtain public feedback on analysis, alternatives and/or decisions.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision-making in the hands of the public.
Promise to the Public:	Promise to the Public:	Promise to the Public:	Promise to the Public:	Promise to the Public:
We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision.	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for direct advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.
Example Techniques to Consider:	Example Techniques to Consider:	Example Techniques to Consider:	Example Techniques to Consider:	Example Techniques to Consider:
<ul style="list-style-type: none"> ● Fact sheets ● Web sites ● Open houses 	<ul style="list-style-type: none"> ● Public comment ● Focus groups ● Surveys ● Public meetings 	<ul style="list-style-type: none"> ● Workshops ● Deliberate polling 	<ul style="list-style-type: none"> ● Citizen Advisory Committees ● Consensus-building ● Participatory decision-making 	<ul style="list-style-type: none"> ● Citizen juries ● Ballots ● Delegated decisions

In conclusion, WGG advocates that both DOC and UTC establish in rulemaking, at minimum, the “involve” level of public participation principles expressed in this memorandum, and further consider them as candidates for updating the language of WAC 480-100-238(5), as well as other new rules or amended rules germane to the implementation of CETA.