**UTC Comment form for Energy Independence Act Rulemaking, WAC 480-109, Docket UE-131723**

Submit this form by 5 PM Monday, Nov. 26, 2013 via the Commission’s Web portal at [www.utc.wa.gov/e-filing](http://www.utc.wa.gov/e-filing) or by e-mail to [**records@utc.wa.gov**](mailto:records@utc.wa.gov)**.**

Comments on behalf of: **RNP & NW Energy Coalition** Commenters: **Megan Decker & Danielle Dixon** E-mail: [megan@rnp.org](mailto:megan@rnp.org) [danielle@nwenergy.org](mailto:danielle@nwenergy.org)

In the first column, fill in the section or subsection of interest in the rule. In the next columns provide the specific text, proposal for change, and rationale.

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| **Comment 1 (p.1)** | **Current Text** | **Proposed Text** | **Rationale for proposed change** |
| WAC 480-109-007 | Definitions | \*Consider deleting definitions that merely repeat statutory definitions  \*\*Define WREGIS | \*Fewer future inconsistencies and amendment needs  \*\*Consistency with Commerce designation of WREGIS |
| **Comment 2 (pp. 2-3)** | **Current Text** | **Proposed Text** | **Rationale for proposed change** |
| \*WAC 480-109-030  \*\*WAC 480-109-040 (or other location) | \*1% no load growth  \*\*none | \*Add text re coal transition power  \*\*Add text re reporting biomass energy | \*Statutory change (2013)  \*\*Statutory change (2012) + consistency with Commerce proposal |
| **Comment 3 (pp. 3-6)** | **Current Text** | **Proposed Text** | **Rationale for proposed change** |
| \*Add new WAC 480-109-035  \*\*WAC 480-109-040(1)  \*\*\*WAC 480-109-040(1)(d)  \*\*\*\*WAC 480-109-040(2) | \*None  \*\*Reporting and public disclosure  \*\*\*Uses term “current year”  \*\*\*\*Procedure for compliance review | \*New section describing content of two-step compliance review  \*\*Clearly describe that June 1 target year report must cover activities undertaken in preceding year to meet January 1 target year compliance date  \*\*\*Eliminate (or enforce) unused subsection  \*\*\*\*Move to own section for greater visibility of review procedures | \*Include in rules the practical accommodation between the January 1 compliance date and the 3-year REC generation period adopted by Order  \*\*Improve consistency between rules and utility reports; consistency with Commerce template  \*\*\*Subsection requiring forward looking report on activities toward next January 1 target has never been used  \*\*\*\*Improve transparency by separating compliance review procedure from public reporting section |
| **Comment 4 (p. 6)** | **Current Text** | **Proposed Text** | **Rationale for proposed change** |
| WAC 480-109-030 & WAC 480-109-040(1)(c) | “Instead of meeting its annual . . . .” | “Instead of fully meeting its annual . . . .” | Eliminate potentially confusing language about consequences of triggering alternative compliance mechanism |
| **Comment 5 (pp. 6-7)** | **Current Text** | **Proposed Text** | **Rationale for proposed change** |
| New section | WAC 480-109-007(9)(b) barely expands on statute re hydro efficiency | Describe and set requirements for hydro efficiency methodologies, with preference for methods using annual flow/generation and strict parameters for methods that do not. | Provide visibility into conclusions reached in Orders |
| **Comment 6 (pp. 7-8)** | **Current Text** | **Proposed Text** | **Rationale for proposed change** |
| WAC 480-109-030(1) | Barely expands on statute re incremental cost | Define incremental cost methodology standards, if resources allow | Improving consistency of underlying analysis will improve public information on costs of policy |
| **Comment 7 (pp. 8-9)** | **Current Text** | **Proposed Text** | **Rationale for proposed change** |
| Various | None | \*Add section codifying conclusion from Order in U-111663  \*\*Add section codifying conclusion from Order in U-121165  \*\*\*Add rule provisions to implement certain paragraphs 132 and 63, 67, 133 from Order 04 in UE-100177 | Improve visibility of substantive Commission conclusions reached in Orders |
| **Comment 8 (pp. 9-10)** | **Current Text** | **Proposed Text** | **Rationale for proposed change** |
| WAC 480-109-010(1)(b)(ii), (3)(b) and (3)(c) | References to conservation calculator | Eliminate conservation calculator option | Broad agreement that IRPs are better alternative for relevant utilities |
| **Comment 9 (p. 10)** | **Current Text** | **Proposed Text** | **Rationale for proposed change** |
|  |  | Clarify ability to count codes and standards changes | Encourage utility support for new code and standard adoption |
| **Comment 10 (p. 10)** | **Current Text** | **Proposed Text** | **Rationale for proposed change** |
|  |  | Clarify ability to count savings from behavioral change programs | Programs and evaluation/measurement techniques have progressed considerably from when rules first adopted. |
| **Comment 11 (pp. 10-11)** | **Current Text** | **Proposed Text** | **Rationale for proposed change** |
| WAC 480-109-010 |  | Address utility options should RTF change unit energy savings values mid-biennium | Establish consistent practice |
| **Comment 12 (p. 11)** | **Current Text** | **Proposed Text** | **Rationale for proposed change** |
|  |  | Incorporate into rules key provisions from conditions lists (i.e., long-term conditions common to all utilities) | Improved visibility and durability of solutions negotiated with conservation advisory groups |
| **Comment 13 (p. 12)** | **Current Text** | **Proposed Text** | **Rationale for proposed change** |
| \*WAC 480-109-020(4)  \*\*WAC-480-109-040 | \* “real-time basis without shaping . . . . ”  \*\*no guidance re documentation re old or first-growth forests | None at this time | Placeholder for topics addressed during 2007 rulemaking that did not reach resolution, but are not a priority for resolution this round either |