

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION,	DOCKETS UE-240004 and UG-240005 ( <i>Consolidated</i> )
Complainant,	ORDER 10
v.	
PUGET SOUND ENERGY	
Respondent	
 In the Matter of the Petition of	DOCKET UE-230810
 PUGET SOUND ENERGY	ORDER 08
 Petitioner,	APPROVING PAYMENT AND GRANTING PETITION TO INCREASE CUSTOMER REPRESENTATION SUB-FUND
 For an Accounting Order Authorizing deferred accounting treatment of purchased power agreement expenses pursuant to RCW 80.28.410	

**BACKGROUND**

- 1 On September 29, 2023, in Docket UE-230810, Puget Sound Energy (PSE or Company) filed with the Washington Utilities and Transportation Commission (Commission) a petition seeking an Accounting Order authorizing the Company to defer the costs associated with three demand response power purchase agreements pursuant to Revised Code of Washington (RCW) 80.28.410 to track and preserve them for later ratemaking treatment. On March 8, 2024, PSE filed a revised petition adding the benefits of the PPAs to its request for deferred accounting and modifying the requested start date of the deferral period from July 2023 to September 2023.
- 2 On February 15, 2024, PSE filed with the Commission revisions to its currently effective Tariff WN U-60, Tariff G, Electric Service, and its currently effective Tariff WN U-2, Natural Gas. The Company characterizes this filing as a general rate case (GRC). The Commission commenced an adjudication in this proceeding in consolidated Dockets UE-240004 and UG-240005.

- 3 On February 26, 2024, Alliance of Western Energy Consumers (AWEC) filed its Petition for Case Certification and Notice of Intent to Request Fund Grant of the Alliance of Western Energy Consumers requesting \$68,897 from the Puget Sound Energy Customer Representation Sub-Fund to partially offset AWEC’s costs in participating in the proceedings.
- 4 On May 15, 2024, the Commission issued Order 06/04 Approving Proposed Budgets and Fund Grants in Consolidated Dockets UE-240004/UG-240005 and Docket UE-230810 granting case certified status and approving AWEC’s proposed budget of \$68,897.
- 5 On June 18, 2024, AWEC filed its Petition to Increase Customer Representation Sub-Fund of the Alliance of Western Energy Consumers by \$5,000 to account for the cost of the Aurora license.
- 6 On January 15, 2025, the Commission entered Final Order 09/07 (Order 09/07) in Consolidated Dockets UE-240004 and UG-240005, and UE-230810, denying PSE’s proposed tariff revision and multi-year rate plan. On January 27, 2025, AWEC filed a Joint Petition for Reconsideration with The Energy Project (TEP).
- 7 On February 3, 2025, AWEC filed a Request for Payment of Puget Sound Energy Customer Representation Sub-Fund Grant (Request for Payment). AWEC requested a total grant payment of AWEC’s \$73,897.00 Puget Sound Energy Customer Representation Sub-Fund grant.

## **DISCUSSION**

- 8 Pursuant to RCW 80.28.430, utilities must enter into funding agreements with organizations that represent “broad customer interests.” The Commission is directed to determine the amount of financial assistance, if any, that may be provided to any organization; the way the financial assistance is distributed; the way the financial assistance is recovered in a utility’s rates; and other matters necessary to administer the agreement.<sup>1</sup>
- 9 On November 19, 2021, the Commission issued a Policy Statement on Participatory Funding for Regulatory Proceedings (Policy Statement) in Docket U-210595.<sup>2</sup> The Commission provided “high-level guidance regarding the amount of financial assistance that may be provided to organizations, the manner in which it is distributed to participants

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<sup>1</sup> RCW 80.28.430(2).

<sup>2</sup> *In the Matter of the Commission’s Examination of Participatory Funding Provisions for Regulatory Proceedings*, Docket U-210595 (November 19, 2021).

and recovered in the rates of gas or electrical companies, and other matters necessary to administer agreements.”<sup>3</sup>

- 10 On February 24, 2022, the Commission issued Order 01, Approving Agreement with Modifications (Order 01).<sup>4</sup> The Commission approved the Interim Agreement filed by the parties on February 23, 2022, subject to certain modifications, and adopted the Interim Agreement as Appendix A to the Order. Among other points, the Commission clarified that it is not bound by the timeframes set forth in the Interim Agreement.<sup>5</sup> The Commission also determined that of the amount authorized for funding, fully one third would be dedicated to organizations representing highly impacted communities and vulnerable populations.<sup>6</sup>
- 11 Pursuant to the Interim Agreement, participating organizations must submit to the Commission a Request for Payment. The Request for Payment must:
- (a) Itemize the expenses, payees, and hourly rates for amounts to be reimbursed, including billing details, and including separately identified amounts for consultant or expert witness fees and travel expenses;
  - (b) Demonstrate that the expenses are reasonable and are directly attributable to issues and positions pursued on behalf of customers and consistent with the intervenor’s proposed budget;
  - (c) Provide information sufficient to show that the Participating Organization has complied with any condition or requirement of the Fund Grant; and
  - (d) Specify whether the request for payment is for interim funding, in the case of Prioritized Organizations only, or final payment in full, and indicate whether any approved budget amount may be released back to the applicable Sub-Fund because the Participating Organization does not intend to request payment for the full approved budget amount.<sup>7</sup>

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<sup>3</sup> *Id.* ¶ 3.

<sup>4</sup> *In the Matter of the Petition of Puget Sound Energy, et al.*, Docket U-210595 Order 01 (February 24, 2022).

<sup>5</sup> *Id.* ¶ 17.

<sup>6</sup> *Id.* ¶ 4.

<sup>7</sup> Interim Agreement § 7.1.

- 12 The Commission may disallow, in whole or in part, a Request for Payment if it determines that the request seeks reimbursement for (a) expenses that are not Eligible Expenses,<sup>8</sup> or (b) expenses that are inconsistent with the Participating Organization’s Consumer Access Fund Grant or any conditions placed on the Consumer Access Fund Grant.<sup>9</sup> Upon authorization of payment, the Commission will make a determination on how to recover the Fund Grants from the various customer classes of the affected Participating Public Utility.<sup>10</sup> Additionally, the Commission may determine whether Fund Grants that were used to advocate positions on behalf of a broad cross-section of customers should be assessed against all customers or multiple classes of customers, to fairly align the costs of the advocacy with the intended potential beneficiaries of the advocacy.
- 13 On February 9, 2023, the Commission entered Order 02, Approving Agreement Subject to Condition, Requiring Refiling of Modified Agreement (Order 02).<sup>11</sup> The Commission approved the Revised Agreement submitted by the parties, subject to the removal of paragraph 7.9, which authorized deferred accounting treatment.<sup>12</sup> The Commission also clarified that it was not bound by the timelines set forth in the Revised Agreement.<sup>13</sup>
- 14 As relevant here, the Revised Agreement carried forward the same requirements for requests for payments of fund grants.<sup>14</sup> It also makes clear that “[e]ligible expenses” may include costs for eligible proceedings incurred prior to the approval of the Revised Agreement.<sup>15</sup>
- 15 In this case, AWEC filed a Request for Payment of Fund Grant, requesting a payment of \$73,897.00 allocated to Puget Sound Energy Customer Representation Sub-Fund. The Commission approved AWEC’s proposed budget of \$68,897.00 with a request to increase the 2024 Puget Sound Energy Customer Representation Sub-Fund by \$5,000.00 to cover expenses related to AWEC procuring access to Aurora to assess power costs as part of the

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<sup>8</sup> Interim Agreement § 7.3.

<sup>9</sup> Interim Agreement § 7.6.

<sup>10</sup> Interim Agreement § 7.7.

<sup>11</sup> *In the Matter of the Petition of Puget Sound Energy, et al.*, Docket U-210595 Order 02 (February 9, 2023).

<sup>12</sup> *Id.* ¶ 20.

<sup>13</sup> *Id.* ¶ 21.

<sup>14</sup> Revised Agreement § 7.1.

<sup>15</sup> Revised Agreement § 7.3. *See also* Interim Agreement § 9.3 (providing that the Commission will require a participating utility to pay eligible expenses incurred under an approved fund grant that was awarded before the date of the termination of the Interim Agreement).

proceeding. AWEC notes that in their initial proposed budget, they reserved the ability to request an additional \$5,000 if funds were available and that no party objected to that reservation or planned request.

- 16 After considering the requirements set forth in Sections 4.2.4, 7.1, 7.3, and 7.7 of the Revised Agreement, we determine that AWEC's request for payment of \$73,897.00 should be approved and that it should be assessed against industrial customers. Further, we determine that AWEC's petition to Increase Puget Sound Energy Customer Representation Sub-Fund by \$5,000 should be granted. AWEC's request outside of those costs related to the Aurora license only requests payment for a portion of its attorneys' time and for reasonable expert witness fees. AWEC's costs appear reasonable, and it maintains that these costs are directly attributable to participating in this proceeding.
- 17 In regard to AWEC's Petition to Increase Customer Representation Sub-Fund we find the following: (1) this decision to increase the Customer Representation Sub-Fund by \$5,000 is not precedential, (2) parties should include all anticipated funding requests when seeking budget approval and not have conditional or pending requests when they can be avoided, and (3) we find good cause to grant AWEC's Petition on the basis that AWEC needed to obtain the Aurora license for the first time due to software licensing changes, no party objected, and it provides additional information symmetry among the parties in complex proceedings.
- 18 Because AWEC focuses on issues affecting industrial customers, it is appropriate to assess AWEC's costs against the industrial customer class. AWEC's Request for Payment should be allocated to Puget Sound Energy's 2024 Customer Representation Sub-Fund.
- 19 Puget Sound Energy must pay the above Request for Payment as directed within 30 days of the entry of this Order.<sup>16</sup>

## ORDER

### THE COMMISSION ORDERS:

- 20 (1) The Alliance of Western Energy Consumer's Petition to Increase Customer Representation Sub-Fund of the Alliance of Western Energy Consumers by \$5,000 is GRANTED.

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<sup>16</sup> Revised Agreement § 7.8.

- 21 (2) The Alliance of Western Energy Consumer's Request for Payment from the 2024 Puget Sound Energy Customer Representation Sub-Fund is APPROVED in the amount of \$73,897.00.

Dated at Lacey, Washington, and effective March 7, 2025.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

*/s/ Connor A. Thompson*  
CONNOR THOMPSON  
Administrative Law Judge

**NOTICE TO PARTIES: This is an Interlocutory Order of the Commission. Administrative review may be available through a petition for review, filed within 10 days of the service of this Order pursuant to WAC 480-07-810.**