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Via E-filing thru WUTC website

July 21, 2010

Mr. David Danner

Executive Director and Secretary

Washington Utilities and Transportation Commission

PO Box 47250

Olympia, WA 98504-7250

Re: Docket No. UE-I00849

Inquiry on Regulatory Treatment for Renewable Energy Resources

Dear Mr. Danner:

In a March 31, 2010, letter to me and Representative McCoy, Commissioner Goltz said the Utilities and Transportation Commission (Commission) would open a docket to identify any perceived statutory or regulatory barriers to electric utilities meeting their renewable portfolio requirements under Initiative 937. I commend the Commission for following through with this commitment by opening this inquiry.

The renewable energy mandates in Initiative 937 clearly set a policy favoring zero or low carbon sources of energy. Other legislative action has also favored energy efficiency and renewable energy over carbon-intense sources of energy. I list a few enactments during the past decade to illustrate this point:

* Allowing any power plant exclusively using alternative energy resources to seek certification through the Energy Facility Site Evaluation Council. Chapter 80.50 RCW; EHB 2247 (2001).
* Requiring fossil-fueled thermal power plants to mitigate 20 percent of their CO2 emissions over a 30-year period. Chapter 80.70 RCW; SHB 3141 (2004).
* Adopting "green" buildings standards for new state buildings, publicly-funded schools, and public housing. Chapter 39.35D RCW; ESSB 5509 (2005).
* Establishing energy efficiency standards for various products. Chapter 19.260 RCW; ESHB 1062 (2005); SSB 6840 (2006); ESHB 1004 (2009).
* Creating a greenhouse gas emissions performance standard for base load electric generation. Chapter 80.80 RCW; ESSB 6001 (2007).
* Specifying statewide greenhouse gas reduction limits. Chapter 70.235 RCW; E2SHB 2815 (2008); E2SSB 5560 (2009).

Initiative 937, read with previous and subsequent laws, has created a state policy favoring the use of renewable energy. And I believe regulatory actions undertaken by the Commission to encourage investor-owned utilities to acquire renewable energy would be entirely consistent with this policy. I therefore encourage the Commission to use this docket to remove any regulatory barriers that would impede utilities from pursuing renewable energy.

I look forward to your conclusions and working with you on any legislative recommendations.

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State Senator Phil Rockefeller  
23rd Legislative District