

Service Date: October 14, 2020



**STATE OF WASHINGTON**  
**UTILITIES AND TRANSPORTATION COMMISSION**

*621 Woodland Square Loop S.E. • Lacey, Washington 98503*

*P.O. Box 47250 • Olympia, Washington 98504-7250*

*(360) 664-1160 • TTY (360) 586-8203*

October 14, 2020

**NOTICE OF OPPORTUNITY TO FILE WRITTEN COMMENTS**  
**(By 5 p.m., Thursday, November 12, 2020)**

**And**

**NOTICE OF PROPOSED RULE ADOPTION HEARING**  
**(Set for Wednesday, December 9, 2020, at 9:30 a.m.)**

Re: Relating to Clean Energy Implementation Plans and Compliance with the Clean Energy Transformation Act, Docket UE-191023, and In the Matter of Amending, Adopting, and Repealing WAC 480-100-238, Relating to Integrated Resource Planning, Docket UE-190698

TO ALL INTERESTED PERSONS:

In Docket UE-190698, the Washington Utilities and Transportation Commission (Commission) proposes to update and move its integrated resource plan (IRP) rules in WAC 480-100-238 to a new part of WAC 480-100. The Commission also proposes to adopt new rules in Docket UE-191023 to implement sections of the Clean Energy Transformation Act (CETA), primarily Chapter 19.405 RCW and revisions to Chapter 80.28 RCW. The Commission consolidated these two rulemaking dockets due to the interrelationship of the Integrated Resource Plan (IRP) and Clean Energy Implementation Plan (CEIP) rules. The Commission provides interested persons with the opportunity to file written comments on the proposed rules in these dockets and to participate in the formal rule adoption hearing scheduled for 9:30 a.m., on Wednesday, December 9, 2020.

The Commission will file a Notice of Proposed Rulemaking (CR-102) with the Office of the Code Reviser by October 21, 2020. The Commission is issuing this notice in advance and making a final draft of the proposed rules available now to provide interested persons with additional time to prepare comments.

The proposed rules would implement certain sections of the Clean Energy Transformation Act (CETA),<sup>1</sup> primarily Chapter 19.405 RCW and revisions to Chapter 80.28 RCW, and would update the Commission's integrated resource plan (IRP) rules. The Commission has reviewed comments from stakeholders on prior draft rules and now proposes rules subject to review and comment by interested persons. The proposed rules are available for inspection on the Commission's website at [www.utc.wa.gov/191023](http://www.utc.wa.gov/191023). The CR-102 filing initiates the final part of the rulemaking process, which includes a written comment period, a public adoption hearing, and a decision by the Commission.

### **Interpretation of “use” in RCW 19.405.040(1)(a)**

On June 12, 2020, the Commission issued a Notice of Opportunity to Comment in Docket UE-191023 on the appropriate interpretation of the term “use” in RCW 19.405.040(1)(a) as part of its process for revising its first draft of rules in the docket. The Commission received considerable feedback in response to that Notice and has continued to receive pertinent comments up until very recently.

The Commission will not include language that interprets the term “use” in RCW 19.405.040(1)(a) in this rulemaking. The Commission will issue a Notice asking parties to formally comment on draft language proposals that may be incorporated in a future rulemaking. Based on responses to that Notice, the Commission may issue interpretative guidance as part of any order adopting the rules in these dockets.

### **WRITTEN COMMENTS**

The Commission gives notice of the opportunity to submit written comments no later than **5 p.m., Thursday, November 12, 2020**.

Pursuant to WAC 480-07-250(3), written comments must be submitted in electronic form, specifically in searchable .pdf format (Adobe Acrobat or comparable software). As provided in WAC 480-07-140(5), those comments must be submitted via the Commission's web portal at [www.utc.wa.gov/e-filing](http://www.utc.wa.gov/e-filing). If you are unable to submit documents via the portal, you may submit your comments by email to the Commission's Records Center at [records@utc.wa.gov](mailto:records@utc.wa.gov) or by mailing or delivering an electronic copy to the Commission's Records Center on a flash drive, DVD, or compact disc that includes the filed document(s). Comment submissions should include:

- The docket number of these proceedings (Docket UE-190698 and Docket UE-191023).
- The commenting party's name.
- The title and date of the comment or comments.

---

<sup>1</sup> E2SSB 5116, Laws of 2019, ch. 288.

The Commission will post on its web site all comments that are provided in electronic format. The web site is located at <http://www.utc.wa.gov/191023> and <http://www.utc.wa.gov/190698>.

If you are unable to file your comments electronically the Commission will accept a paper document.

### **ADOPTION HEARING**

The Commission gives further notice of the opportunity to virtually attend the public hearing and make oral comments about the rules proposed for adoption on **Wednesday, December 9, 2020, at 9:30 a.m.** This public hearing will be virtual.

To attend by phone, call (253) 372-2181 and enter the Conference ID: 918 823 796#. To participate via Microsoft Teams, use the following link: [Join Microsoft Teams Meeting](#).

**Questions?** If you have questions about this Notice, about the rulemaking process, or this rulemaking in particular, you may contact Brad Cebulko. He may be reached by mail at the address on this Notice, by email at [bradley.cebulko@utc.wa.gov](mailto:bradley.cebulko@utc.wa.gov), or by calling (360) 259-5315.

MARK L. JOHNSON

Executive Director and Secretary