



# PREPROPOSAL STATEMENT OF INQUIRY

**CR-101 (October 2017)**  
**(Implements RCW 34.05.310)**

Do **NOT** use for expedited rule making

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DATE: January 15, 2020

TIME: 11:54 AM

WSR 20-03-107

**Agency:** Washington Utilities and Transportation Commission

**Subject of possible rule making:** In Docket UE-191023, the Washington Utilities and Transportation Commission (Commission) has initiated this rulemaking to develop rules for implementing Chapter 19.405 RCW, statutory revisions to RCW 80.84.010, and additions to Chapter 80.28 RCW, as enacted in Engrossed Second Substitute Senate Bill 5116, the Clean Energy Transformation Act (E2SSB 5116). The Commission will also consider revisions to the commission basis reporting rules in WAC 480-100-257 to the extent necessary to implement RCW 19.405.060.

**Statutes authorizing the agency to adopt rules on this subject:** RCW 80.01.040, RCW 80.04.160, and Chapter RCW 19.405,]

**Reasons why rules on this subject may be needed and what they might accomplish:** E2SSB 5116 both requires and allows the Commission to adopt rules to ensure the proper implementation and enforcement of the statute, but the Commission must adopt certain rules by January 1, 2021. RCW 19.405.060(5) mandates that the Commission and the Department of Commerce (Commerce) adopt rules establishing the methodology for calculating the incremental cost of compliance with this law. RCW 19.405.100 allows the Commission to develop rules to implement the chapter. The Commission must also consider modifications to its commission basis reporting rules in WAC 480-100-257 because the incremental cost calculation, as described in RCW 19.405.060, is base on these utility reports.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:** Commerce must develop rules for consumer-owned utilities to meet the pertinent requirements as set forth in E2SSB 5116. The Commission and Commerce-are coordinating their processes for implementing the requirements in E2SSB 5116.


**Process for developing new rule (check all that apply):**

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe) The UTC uses a collaborative rulemaking process that includes stakeholder workshops, formal comments, and draft rules.

**Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:**

	(If necessary)
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Additional comments:

<b>Date:</b> January 15, 2020	<b>Signature:</b> 
<b>Name:</b> Mark L. Johnson	
<b>Title:</b> Executive Director and Secretary	