



Washington State Senate

Olympia Office:

PO Box 40423
Olympia, WA 98504-0423
(360) 786-7644

E-mail:

Rockefeller.Phil@leg.wa.gov

Senator Phil Rockefeller
23rd Legislative District

TTY: 1-800-635-9993
Toll Free: 1-800-652-6000
Fax: (360) 786-7450

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.

A handwritten signature in cursive script that reads "Phil Rockefeller". The signature is written in black ink and is positioned above the typed name and title.

State Senator Phil Rockefeller
23rd Legislative District