

lauckjr@hotmail.com <lauckjr@hotmail.com>

UE-200304

Mon 5/15/2023 7:32 AM

To: Cameron-Rulkowski, Jennifer (UTC) <jennifer.cameron-rulkowski@utc.wa.gov>; jennifer.snyder@utc.wa.gov <jennifer.snyder@utc.wa.gov>

Cc: Norm Hansen <hansennp@aol.com>; comments@utc.wa.gov <comments@utc.wa.gov>

Received
Records Management
May 15, 2023

Dear WUTC Executive Director and Secretary Amanda Maxwell-

My name is Richard Lauckhart. I am an energy consultant and former VP at Puget Power. I am an Energy Expert working for the Coalition of Eastside Neighborhoods for Sensible Energy (CENSE)

The WUTC has requested further comment on proceeding UE-200304. That being the case, I am submitting the further comments below on behalf of the Coalition of Eastside Neighborhoods for Sensible Energy (CENSE)

May 15, 2023

Lauckhart further Comments on behalf of CENSE in Docket No. UE-200304

I am an Energy Consultant and past VP at Puget. My Bio is provided in Exhibit RL-2 which is one of the Exhibits I have already posted to the WUTC website for UE-200304

On April 24, 2023 the WUTC provided further Opportunity for public comment on PSE's final 2023 Gas Integrated Resource Plan (IRP) (Docket UG-220242) and 2023 Electric Integrated Resource Plan progress report (IRP progress report) (Docket UE-200304).

I have previously provided extensive comment on the PSE IRP (Docket UE-200304) including a large number of documents I provided on 12/28/2022 which are posted on the WUTC website for UE-200304.

The comments being submitted today supplement those comments by including a discussion of the FERC Order dated April 24, 2023 Dismissing the Complaint filed by the Coalition of Eastside Neighborhoods for Sensible Energy against Puget Sound Energy, Inc. under FERC Docket No. EL23-23.

That FERC Complaint (EL23-23) made the following request:

This Complaint requests that FERC Issue an Order with the following three findings:

- 1. PSE has an obligation to conduct its FERC/NERC required TPL-001 transmission planning studies in an Open and Transparent manner with stakeholder involvement.*
- 2. PSE has an obligation to provide their TPL-001 study reports to interested parties. If PSE believes the reports contain CEII material, PSE can redact that material and/or require requesting parties to get CEII clearance from FERC.*
- 3. That FERC has never addressed the question of the NEED for Energize Eastside. Any testimony that states that FERC has found a NEED for Energize Eastside is not correct.*

Regarding the CENSE Request 3) above: While FERC stated that they were dismissing the complaint, they did not dismiss CENSE Request 3. In Paragraph 35, FERC acknowledges that FERC has **"not made a determination on the need for the Project."** By making this acknowledgement, FERC actually accepted Request Number 3 of the CENSE complaint. FERC is stating that it has never made a determination that Energize Eastside is needed. The question of NEED must be studied by the WUTC and cities.

FERC stated that they were rejecting parts of the CENSE request when they stated they "dismiss the Complaint for failure to meet the requirements of Rule 206 of the Commission's Rules of Practice and Procedure." FERC provided no Rule in which CENSE could make this Complaint/request. FERC in essence states that FERC has no avenue for CENSE to make a complaint against PSE. Meaning that FERC is turning over the matters in the CENSE Complaint to the WUTC and the cities.

conduct its FERC/NERC required TPL-001 transmission planning studies in an Open and Transparent manner with stakeholder involvement,"] FERC stated that there is no statutory standard that requires PSE to conduct a stakeholder process under these circumstances. See paragraph 29. This FERC statement confirms that CENSE has never had an opportunity to address the need for Energize Eastside in a PSE Stakeholder process. That is a key FERC admission that the WUTC and the cities need to acknowledge. **The Public Interest can only be served by giving CENSE and the WUTC and the Cities an opportunity to address the need for Energize Eastside in a stakeholder process.**

Regarding the CENSE Request 2) above: [that PSE has an obligation to provide their TPL-001 study reports to interested parties], FERC says there is no requirement that PSE provide copies of its TPL-001 report to "interested parties." See paragraph 30. And FERC says that TPL-001 only requires PSE to respond to a "Functional Entity" request for a TPL-001 report and its Planning Assessments and therefore PSE is not required to provide CENSE a copy of its TPL-001 studies because CENSE is not a Functional Entity. See paragraph 34. However, if PSE intends to rely on its TPL-001 reports and Planning Assessments to justify Energize Eastside, TPL-001 reports and Planning Studies need to be provided to CENSE, the WUTC and the Cities.

CENSE believes that the WUTC is a "Functional Entity" that can request that PSE provide its TPL-001 Reports and its Planning Assessments that allegedly demonstrate the NEED for Energize Eastside. CENSE has in fact requested that FERC Clarify this point. This "Request for Clarification" of the FERC Order in Docket No. EL23-23 was filed on May 1, 2023 and specifically stated the following:

"At Paragraph 34 of that order, FERC states that TPL-001-4 only requires Puget Sound Energy to provide a "functional entity" copies of its Planning Assessments and its annual TPL-001 reports. FERC claims that the Coalition of Eastside Neighborhoods for Sensible Energy (CENSE) cannot request and get the annual Planning Assessments and Annual TPL-001 reports.

CENSE would like clarification of who can request and get these documents. *For example, can the Washington Utilities and Transportation Commission (WUTC) get these documents as a part of its efforts to understand the need for the Puget Sound Energy proposed Energize Eastside Project? Note: The Energize Eastside Project is a 20-mile, double circuit, 230 KV transmission project that runs through the Puget Sound Energy Service Territory."*

FERC has not yet responded to the CENSE Request for Clarification. CENSE will provide the FERC response to the Request for Clarification when FERC issues it.

The Public Interest can only be served by giving CENSE and the WUTC and the Cities an opportunity to review the TPL-001 reports and Planning Studies.