

Service Date: November 14, 2018



STATE OF WASHINGTON

UTILITIES AND TRANSPORTATION COMMISSION

1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250

(360) 664-1160 • TTY (360) 586-8203

November 14, 2018

**NOTICE OF OPPORTUNITY TO RESPOND TO SMALL BUSINESS
ECONOMIC IMPACT STATEMENT (SBEIS) QUESTIONNAIRE
(Due by Friday, December 14, 2018)**

Re: Public Utility Regulatory Policies Act, Obligations of the Utility to Qualifying
Facilities, WAC 480-107.
Docket U-161024

TO ALL INTERESTED PERSONS:

Staff of the Washington Utilities and Transportation Commission (Commission) is preparing revisions to Chapter 480-107 WAC and a new Chapter 480-106 WAC that outline a utility's obligations under the Public Utility Regulatory Policies Act (PURPA). The draft rules consider written comments and feedback received during workshops and informal discussion groups, and are posted on the Commission's website at <http://www.utc.wa.gov/161024>.

Responses to SBEIS Questionnaire. The Commission requests that companies that would be subject to, or otherwise affected by, the draft rules provide information concerning whether those rules would impose any costs on their company. The cost information companies provide concerning these draft rules will assist the Commission in determining whether a Small Business Economic Impact Statement (SBEIS) is required, and if so, to assess the possible costs of the rules.

The purpose of Washington's Regulatory Fairness Act, Chapter 19.85 RCW, is to have agencies identify and reduce any disproportionate impact of their rules on small businesses. With limited exceptions, the Regulatory Fairness Act requires an agency to prepare a SBEIS before adopting a rule predicted to impose more than minor costs on businesses in an industry. A "small business" is any profit-making entity that has 50 or fewer employees.

The Commission requests that **both large and small businesses** affected by its PURPA rules submit to the Commission **no later than 5 p.m. on Friday, December 14, 2018**, their analysis of

whether the draft rules impose a cost impact on their company, including lost sales or revenue. Please be sure to include the company name, company contact person, contact phone number and email address and the number of people the company employs. For each draft rule for which the company identifies a cost impact, please provide, at a minimum, the following information:

1. Identify the rule section, *i.e.*, WAC 480-106-xxx, of the draft proposed rule that the company identifies as having a cost impact;
2. Explain why there will be a cost impact on the company; and
3. Provide a detailed analysis of how the company calculated the cost impact of each draft rule the company identifies as having a cost impact.

Pursuant to WAC 480-07-250, responses to the SBEIS questionnaire must be submitted to the Commission in electronic format, specifically in .pdf format (using Adobe Acrobat or similar software). As provided in WAC 480-07-140(5), you must submit those responses via the Commission's web portal at www.utc.wa.gov/e-filing. If you are unable to submit documents via the portal, you may submit them via email to the Commission's Records Center at records@utc.wa.gov or by mailing or delivering an electronic copy to the Commission's Records Center on a thumb drive, CD, or DVD. Please include:

- The docket numbers of this proceeding (Docket U-161024).
- The commenting party's name.
- The title and date of the comment or comments.

The Commission will post on its website all comments that are provided in electronic format. The website is located at <http://www.utc.wa.gov/161024>.

If you have questions regarding this rulemaking, you may contact either Brad Cebulko at (360) 664-1309, or by email at bradley.cebulko@utc.wa.gov, or Kathi Scanlan at (360) 664-1267, or by email at kathi.scanlan@utc.wa.gov.

Sincerely,

MARK L. JOHNSON
Executive Director and Secretary