



STATE OF WASHINGTON

UTILITIES AND TRANSPORTATION COMMISSION

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November 14, 2018

NOTICE OF OPPORTUNITY TO SUBMIT WRITTEN COMMENTS
(Comments 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:

On September 1, 2016, the Washington Utilities and Transportation Commission (Commission) filed with the Code Reviser a Preproposal Statement of Inquiry (CR-101) to examine whether the Commission's rules in WAC 480-90-238, WAC 480-100-238, and WAC 480-107 related to the integrated resource plan (IRP) process, utility bidding processes should be revised to keep up with recent trends in the energy industry. The Commission filed the CR-101 in Docket U-161024.

On March 20, 2017, the Commission issued a Notice of Workshop and Opportunity to File Written Comments to consider whether additional revisions are necessary to rules in WAC 480-107 that outline a utility's obligations under Public Utility Regulatory Policies Act (PURPA). In addition, workshops were set for May 17, 2017, and September 5, 2017.

On March 14, 2018, the Commission issued a Notice of Opportunity to File Comments on informal draft PURPA rules. On May 14, 2018, the Commission held an additional workshop to discuss comments on the informal draft rules.

On September 6, 2018, members of the Commission's rulemaking team facilitated a meeting with stakeholders to discuss how to identify in rule when a legally enforceable obligation (LEO) occurs, including the minimum information that a qualifying facility should provide prior to a utility committing to sell power, and the conditions that would presumptively trigger a LEO.

Commission staff considered written comments from stakeholders, as well as those provided during the workshop and informal discussions, to amend the current PURPA rules through a new chapter, 480-106, including: obligations of qualifying facilities to the utility and the utility to qualifying facilities; schedules of estimated avoided costs; information and terms sheets for qualifying facilities with capacities of greater than five megawatts; standard rates for qualifying facilities with capacities of five megawatts or less; rates for purchases from qualifying facilities; rates for sales to qualifying facilities; system emergencies; and interconnection costs.

The Commission also proposes revisions to the existing Chapter 480-107 WAC, which removes PURPA-related rule language now proposed to be included in the new Chapter 480-106 WAC.

The draft rules are available for review on the Commission's website at www.utc.wa.gov/161024.

WRITTEN COMMENTS

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 number 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 web site all comments that are provided in electronic format. The web site is located at 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