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SENT VIA ELECTRONIC WEB PORTAL

Steven V. King,
Executive Director and Secretary
Washington Utilities and Transportation Commission
P.O. Box 47250
1300 S. Evergreen Park Drive S.W.
Olympia, WA 98504-7250.

Re: Rulemaking to Make Corrections and Changes to Rules in WAC 480-07, Relating to Procedural Rules, Docket A-130355 – Part III B (General Rate Proceedings)

Dear Mr. King:

These comments are filed on behalf of The Energy Project, an organization advocating for low-income customers and Community Action Partnership agencies providing low-income energy and weatherization assistance in Washington.

WAC 480-07-505(1)(b) – Three Percent Customer Class Increase

The Energy Project has concerns about the proposal in the draft rules to delete subsection 1(b). The existing rules provide that a general rate case (GRC) will be initiated by the Commission for rate increases with an overall impact to gross revenues of three percent or more (subsection 1(a)), or alternatively, for an increase for any customer class of three percent or more (subsection 1(b)).

The concern about deleting subsection 1(b) is that it could create a situation where the residential (or other class) could be targeted for a three percent or greater increase, but because the overall company-wide request was under three percent, the residential increase could be insulated from GRC review. Residential customers under this scenario would experience the same impact, but would not be ensured of having the benefit of the supporting evidentiary requirements, or the greater procedural protections ordinarily provided in a GRC adjudication. A company could structure a filing to achieve this procedural result if it so chose. Presumably, the current rule was developed to avoid this situation. While the Commission still would have discretion to initiate a GRC under the revised rule, the burden would be shifted to customers or their representatives to request that treatment.

The Energy Project is sympathetic to concerns that the rule may trigger unnecessary review in some cases involving non-basic service schedules. It may be preferable to develop a carve-out for those situations, rather than to modify this long-standing rule.

WAC 480-07-505 – Multiyear Rate Plans

The Energy Project recommends a new subsection be added to 07-505 that would clarify that the Commission will initiate a GRC for any multiyear rate plan proposal with an aggregate impact of three percent or more on a class or company-wide basis. This would update the existing rule to cover this more recent type of rate filing.

Thank you for your consideration of these issues.

/s/ Simon ffitc

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