

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of

PUGET SOUND ENERGY

Petitioner,

For an Order Approving Proposed
Request For Proposals

DOCKETS UE-200413 and UE-200414

ORDER 01

GRANTING PETITION FOR
EXEMPTION

BACKGROUND

- 1 On May 4, 2020, Puget Sound Energy (PSE or Company) filed with the Washington Utilities and Transportation Commission (Commission) a draft Request for Proposal (RFP) Regarding All Resources in Docket UE-200414, and a draft RFP Regarding Demand Response Programs in Docket UE-200413.
- 2 On May 11, 2020, the Commission issued a Notice of Opportunity to Provide Written Comments and Notice of Open Meeting (Notice). The Notice required interested persons to file written comments by July 6, 2020, and afforded stakeholders an opportunity to provide oral comments at the July 17, 2020, recessed open meeting.
- 3 On June 30, 2020, the Commission issued a Notice of Change to Scheduled Open Meeting, indicating that the recessed open meeting set for July 17, 2020, was rescheduled for July 30, 2020. The deadline for filing written comments remained unchanged.
- 4 The Commission received a total of 14 written comments in Dockets UE-200413 and UE-200414. Based on those comments and discussions with Commission staff (Staff), PSE submitted revised draft RFPs on July 22, 2020.
- 5 On July 23, 2020, PSE filed a Petition for Waiver from Certain Request for Proposals Requirements (Petition), seeking additional time for the Commission to approve its RFPs in both dockets. PSE submits that, pursuant to WAC 480-107-115(3)(b), the Commission is required to approve or suspend the draft RFPs within 30 days of the close of the comment period. This deadline currently falls on August 4, 2020. PSE requests an exemption from this 30-day deadline for Commission action. PSE represents that Commission staff (Staff) supports the Petition

DISCUSSION

- 6 We grant PSE’s Petition for exemption. The Commission will consider PSE’s draft RFPs at its August 13, 2020, open meeting, at which time the Commission will take action to approve or suspend them.
- 7 WAC 480-07-110 provides that the Commission “may grant an exemption from, or modify the application of, any of its rules in individual circumstances if the exemption or modification is consistent with the public interest, the purposes underlying regulation, and applicable statutes.” WAC 480-107-002 similarly provides that no exception from the provisions of WAC 480-107 is permitted without prior written authorization from the Commission.
- 8 The Petition here concerns the Commission’s deadline for approving or suspending a utility’s RFP. Pursuant to WAC 480-107-015(3)(b), interested persons have 60 days from the RFP filing date to submit comments. The Commission will then approve or suspend a utility’s RFP within 30 days after the close of the comment period.
- 9 PSE explains in its Petition that additional time is necessary for the Company to discuss with Staff potential revisions to its draft RFPs, and that Staff is amenable to its request. We agree that granting the requested exemption under these circumstances is appropriate. The Commission supports the parties’ efforts to resolve their differences without the need for a contested hearing. In addition, the Company’s request seeks a relatively brief extension of time that neither prejudices any party nor impedes the Commission’s regulatory function. Accordingly, we find that the requested exemption is consistent with the public interest, the purposes underlying regulation, and applicable statutes, and conclude that it should be granted.

FINDINGS AND CONCLUSIONS

- 10 (1) The Commission is an agency of the State of Washington vested by statute with the authority to regulate the rates, rules, regulations, practices, accounts, securities, transfers of property and affiliated interests of public service companies, including electric companies.
- 11 (2) PSE is an electric company and a public service company subject to Commission jurisdiction.
- 12 (3) WAC 480-107-015 requires companies to file proposed RFPs for capacity resource needs identified in their integrated resource plans.

- 13 (4) WAC 480-107-015(3)(b) states that the Commission will approve or suspend a utility's RFP within 30 day after the close of the comment period.
- 14 (5) Under WAC 480-07-110(1), the Commission may grant an exemption from the provisions of any of its rules if doing so consistent with the public interest, the purposes underlying regulation, and applicable statutes.
- 15 (6) On July 23, 2020, PSE filed a petition for exemption from WAC 480-107-015(3)(b) to allow more time for the Company to discuss potential revisions to its draft RFPs with Commission Staff.
- 16 (7) This matter came before the Commission at its regularly scheduled meeting on July 30, 2020.
- 17 (8) After reviewing PSE's Petition and giving due consideration to all relevant matters and for good cause shown, the Commission finds that the requested exemption is in the public interest, consistent with the purposes underlying the regulation and applicable statutes, and that it should be granted.

ORDER

THE COMMISSION ORDERS:

- 18 (1) Puget Sound Energy's Petition for exemption in Dockets UE- 200413 and UE-200414 is granted.
- 19 (2) The Commission retains jurisdiction over the subject matter and Puget Sound Energy to effectuate the provisions of this Order.

20 The Commissioners, having determined this Order to be consistent with the public interest, directed the Secretary to enter this Order.

Dated at Lacey, Washington, and effective July 30, 2020.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARK L. JOHNSON
Executive Director and Secretary