

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

REVIEW OF PURPA STANDARDS IN
THE ENERGY INDEPENDENCE AND
SECURITY ACT OF 2007

DOCKET NO. U-090222

SECOND COMMENTS OF PUBLIC COUNSEL (CR-101)

June 1, 2009

1. Pursuant to the Notice of Opportunity to File Additional Written Comments of May 22, 2009, (Notice), the Public Counsel Section of the Washington State Attorney General's Office (Public Counsel) respectfully submits these comments. The Notice asks commenters to consider four questions that were raised at the May 21, 2009 Rulemaking Workshop. Public Counsel's comments are focused on the third question in the Notice, regarding a planning requirement for assessment of smart grid technologies and opportunities. In general, we reiterate the points made in our initial comments filed on April 24, 2009 and offer the following additional comments.
2. The Notice identified the following question:

Would a planning requirement, analogous to an IRP, for assessment of smart grid technology and opportunities, be practical? Why or why not?
3. Public Counsel believes that at this time it is premature for the Commission to establish a new planning requirement for assessment of smart grid technology and opportunities. As was discussed during the May 21, 2009 Workshop, a specific federal or state definition as to what constitutes a "smart grid system" does not currently exist. Until there is a uniform federal or state standard defining what constitutes a "smart grid system," it is not practical to institute new

planning requirements. Once a federal or state definition of a smart grid system is adopted, the Commission may wish to convene a workshop with interested stakeholders to consider whether it is appropriate to institute any new planning requirements for electric utilities. In the meantime, Public Counsel's understanding is that existing utility planning and regulatory frameworks allow utilities to consider a range of different investment alternatives, including technologies or systems that may be considered "smart grid" technologies.

4. Public Counsel appreciates the opportunity to present these comments and looks forward to further participating in this proceeding.