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Amanda Maxwell
Executive Director and Secretary
Washington Utilities and Transportation Commission
P.O. Box 47250
Olympia, WA 98504-7250

RE: Docket U-230161 Relating to Commission-led workshop series on the Climate Commitment Act

On April 10, 2023, the Utilities and Transportation Commission (Commission) issued a Notice of Opportunity to File Written Comments on Climate Commitment Act (CCA) Work Plan and Future CCA Workshops (Notice). The Public Generating Pool (PGP) is a trade association representing nine consumer-owned utilities in Washington and Oregon that own and operate their own generating resources. PGP appreciates the opportunity to provide written comments on this Docket.

To implement the CCA, on September 29, 2022, the Washington Department of Ecology (Ecology) adopted its final CCA Program Rule. While the CCA Program Rule comprehensively covers certain foundational aspects of cap-and-invest program implementation, many questions and uncertainties remain with respect to implementation of the program as it pertains to electric utilities, as acknowledged by Ecology in its CCA Workshop Number One presentation to the Commission¹.

Because the questions and uncertainties outlined by Ecology at the first workshop in this series apply equally to consumer-owned utilities and investor-owned utilities, PGP respectfully requests that the Commission clarify the jurisdictional scope of this Docket. We ask that the Commission clearly state its interpretation of its powers and duties with respect to implementing the CCA for investor-owned utilities, and that stakeholders be given an opportunity to respond to such statement with comment. Any actions taken on CCA issues by the Commission should be those under the Commission's jurisdiction and apply explicitly and exclusively to investor-owned utilities.

Insofar as Ecology continues to participate in this Docket, PGP believes that the agency should do so in a purely informational capacity, at the invitation of the Commission. Any clarification or decisions made by Ecology with respect to lingering CCA uncertainties and questions should occur outside of this Docket and as part of an Ecology-led, independent process. To the extent that Ecology makes decisions on or

¹ Slide 33 of the presentation, entitled "Key Challenges to Resolve," recognizes some of the lingering uncertainties faced by Washington electric utilities in the implementation of the cap-and-invest program, including electric power entity greenhouse gas reporting, lack of clarity for state border and balancing authority overlap, issues relating to cost burden forecasts, and issues relating to organized markets.

clarifies rules that apply to both investor-owned and consumer-owned utilities in the context of this Docket, PGP reserves the ability to weigh in on behalf of our consumer-owned utility members.

PGP thanks the Commission for the opportunity to provide comment. We look forward to engaging in future discussions on CCA issues.

Sincerely,

/s/ Mary Wiencke

Mary Wiencke
Executive Director
Public Generating Pool