

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

Relating to Electricity Markets and Compliance
with the Clean Energy Transformation Act

DOCKET UE-210183

COMMENTS OF PUBLIC COUNSEL

APPENDIX A

November 12, 2021

WAC 480-100-650 Reporting and compliance.

~~(1) **Resource acquisition and compliance.** Using electricity for compliance under RCW 19.405.040(1) and RCW 19.405.050(1) means that a utility:~~

~~(g) has acquired renewable and nonemitting resources to meet its retail electric load, and~~

~~(h) can demonstrate compliance as required in subsection (2) of this section.~~

(12) **Clean energy compliance report.** Unless otherwise ordered by the commission, each electric utility must file a clean energy compliance report with the commission by July 1, 2026, and at least

every four years thereafter. The report must demonstrate ~~whether~~
~~and how~~:

(a) That the utility met its interim targets;

(b) That the utility met its specific targets;

(c) Beginning with its July 1, 2034 clean energy compliance report, that the utility met its requirement under WAC 480-100-610(2) such that:

(i) all retail sales of electricity to Washington retail electric customers be greenhouse gas neutral by January 1, 2030;

(ii) at least 80% of all retail sales of electricity to Washington retail electric customers be supplied using primary compliance resources by January 1, 2030 and every year thereafter;

(d) For each clean energy compliance report submitted on or after January 1, 2045, that the utility met its requirement under WAC 480-100-610(3) that nonemitting electric generation and electricity from renewable resources supply one hundred percent of all retail sales of electricity to Washington electric customers;

~~(b)~~

~~(c)~~ (e) That the ~~The specific actions the~~ utility took specific actions to meet ~~made progress toward meeting~~ the clean energy transformation standards at the lowest reasonable cost;

~~(d)~~ (f) For all resources used for compliance with this section, ~~a demonstration of that~~ the acquisition of the electricity through ownership, control, or contracted agreement ~~showing that the electricity is:~~

(i) From a generating facility located within the utility's service area or balancing authority area; or

(ii) Acquired by the utility at one of the following points of delivery:

(A) The transmission or distribution system of ~~an~~ the electric utility;

(B) The transmission system of the Bonneville Power Administration;

(C) The transmission system of any entity that is a participant in an organized electricity market ~~located in the~~

~~Western Interconnection~~ in which the electric utility is a participant; or

(D) Another point of delivery designated by the electric utility for the purpose of subsequent delivery to the electric utility.

~~(i) For the purpose of determining compliance with this subsection, retiring retained RECs is a form of using electricity toward primary compliance.~~

~~(j)~~ (g) That the specific actions the utility took are consistent with the requirements in WAC 480-100-610(4)(c), including but not limited to:

- (i) providing updated customer benefit indicator values;
- (ii) an analysis that the distribution of benefits and reductions of burdens have accrued or will reasonably accrue to

intended customers, including highly impacted communities and vulnerable populations;

(2) Treatment of retained RECs. For the purposes of reporting and compliance under subsection (1) of this section, retiring retained RECs is a form of using electricity toward primary compliance.

(3) Other reporting requirements. In addition to the above requirements, each clean energy compliance report shall:

~~(i) Provide a description of the utility's equity advisory group process, customer engagement and outcomes, and how the utility's efforts are consistent with the requirements in WAC 480100-655 for the development or update of customer benefit indicators related to WAC 480-100-610(4)(c);~~

(a) Provide a description of the utility's equity advisory group process, customer engagement and outcomes, and how the utility's efforts are consistent with the requirements in WAC

480100-655 for the development or update of customer benefit indicators related to WAC 480-100-610(4)(c);

~~(j)~~(b) Include the actual incremental cost of compliance as required in WAC 480-100-660(5);

(c) Include all of the information found in the annual progress report as described in subsection 4 of this section for the fourth year of the CEIP;

~~(k)~~(d) Include a summary of the data in the annual progress reports described in subsection 4 of this section;

~~(l)~~(e) Document the use of any alternative compliance options as described in RCW 19.405.040(1)(b), or any request for a temporary exemption per RCW 19.405.090(3);

(f) ~~A~~ Include a description of the public participation opportunities the utility provided and the feedback the utility received during the implementation period, including whether and how public participation influenced the utility's decisions and actions; and

(g) Include the data input files made available to the commission in native format and in an easily accessible format as an appendix.

(~~34~~) Clean Energy Compliance Report Review Process.

(a) Interested persons may file written comments with the commission regarding the utility's clean energy compliance report within sixty days of the utility's filing unless the commission states otherwise.

(b) The commission may review clean energy compliance reports through the commission's open public meeting process, as described in Chapter 480-07 WAC.

(c) After completing its review of the utility's clean energy compliance report, the commission will determine whether the utility met its specific and interim targets, and whether the

