

**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 02

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 Requirement, seeking additional time for the Commission to approve its RFPs in both dockets.
- 6 On July 31, 2020, the Commission issued Order 01 in Dockets UE-200413 and UE-200414, granting PSE's July 23, 2020 Petition. In Order 01, the Commission indicated that it would consider the Draft All-Source and Demand Response RFPs at its August 13, 2020, open meeting.

7 On August 5, 2020, PSE filed a Petition for Waiver of Certain Requirements Related to Requests for Proposals Contained in WAC 480-107 and Order 01 (Petition). PSE submits that it has recently developed an updated load forecast that reflects the effects of the COVID-19 pandemic. This forecast indicates a significantly lower peak capacity need than the forecast submitted in the Draft All-Source RFP and the Draft Demand Response RFP. PSE intends to present the results of this forecast at an upcoming stakeholder meeting on September 1, 2020. PSE requests more time to consider this issue, and it therefore requests an extension of time to present its RFPs at the Commission's September 10, 2020, open meeting.

8 Commission staff (Staff) supports the Company's Petition.

DISCUSSION

9 We grant PSE's Petition for exemption. The Commission will consider PSE's draft RFPs at its September 10, 2020, open meeting, at which time the Commission will take action to approve or suspend them.

10 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.

11 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. In Order 01 in Dockets UE-200413 and Docket UE-200414, the Commission granted PSE an exemption from this requirement and held that the Commission would consider PSE's Draft All-Source and Demand Response RFPs at the August 13, 2020, open meeting.

12 PSE requests an exemption from both WAC 480-107-015(3)(b) and Order 01 based on the results of an updated load forecast reflecting the effects of the COVID-19 pandemic and showing significantly lower peak demand than originally indicated in the Draft RFPs. 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. Allowing the Company to present the best information available

and providing parties with adequate time to review that information supports that goal. 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

- 13 (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.
- 14 (2) PSE is an electric company and a public service company subject to Commission jurisdiction.
- 15 (3) WAC 480-107-015 requires companies to file proposed RFPs for capacity resource needs identified in their integrated resource plans.
- 16 (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.
- 17 (5) Under WAC 480-07-110(1), the Commission may grant an exemption from the provisions of any rule in Chapter 480-70 WAC if doing so consistent with the public interest, the purposes underlying regulation, and applicable statutes.
- 18 (6) On July 31, 2020, the Commission issued Order 01 and granted PSE an exemption from this requirement and held that the Commission would consider PSEs Draft All-Source and Demand Response RFPs at the August 13, 2020, open meeting
- 19 (7) On August 5, 2020, PSE filed a petition for exemption from WAC 480-107-015(3)(b) and Order 01 to allow more time for the Company to evaluate its Draft RFPs in light of an updated load forecast.
- 20 (8) This matter came before the Commission at its regularly scheduled meeting on August 13, 2020.
- 21 (9) 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:

- 22 (1) Puget Sound Energy's Petition for exemption in Dockets UE- 200413 and UE-
200414 is granted.
- 23 (2) The Commission retains jurisdiction over the subject matter and Puget Sound
Energy to effectuate the provisions of this Order.
- 24 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 August 13, 2020.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARK L. JOHNSON
Executive Director and Secretary