



King County

Dow Constantine

King County Executive

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UE-210183

November 12, 2021

Utilities and Transportation Commission
Chairman David Danner
Commissioner Ann Rendahl
Commissioner Jay Balasbas
621 Woodland Square Loop SE
Lacey, WA 98503

RE: Docket UE-210183, Electricity Markets and Compliance with the Clean Energy Transformation Act

Dear Chair Danner and Commissioners Rendahl and Balasbas:

Thank you for the opportunity to provide comment on Docket UE-201083. This is an important issue. Clean electricity supplies are a key component to reaching King County's goal to reduce countywide emissions 50 percent by 2030 and 80 percent by 2050. Residents and utility customers in Washington care about the electricity used to power their homes, cars, and work and community facilities, which is why I strongly supported passage of the Clean Energy Transformation Act (CETA) in 2019.

I have concerns about proposed edits to W.A.C. 480-100-600 that appear to weaken the intent of the law by allowing for additional compliance options beyond what was contemplated by the Legislature.

CETA is meant to be transformational. To truly meet the requirements of the law, utilities need to plan for, acquire, and ultimately serve customers with clean electricity supplies. This means maximizing energy efficiency and demand-side resources to reduce loads and serving the remaining load with clean energy.

We understand CETA to require that 80 percent of utilities' electricity supplies be clean by 2030, and that 100 percent of electricity sources be renewable or non-emitting by 2045. Flexibility is provided in the transition to 100 percent clean energy by allowing alternate compliance options for the remaining 20 percent of supply from 2030-2045. I supported the provision to allow alternate compliance phase in order to ensure a just transition for workers, and stable and reasonable costs for ratepayers.

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COMMISSION

The elaborate compliance methodology created by this draft rule appears to extend beyond what was contemplated by the bill. Specifically, King County is concerned by the proposal whereby a utility could sell clean, renewable, and non-emitting power outside of its service territory, retain the environmental attributes (“retained RECs”), and then apply those attributes to emitting resources, resulting in a net “clean” portfolio. This approach essentially allows for offsets for polluting resources, slowing the transition to clean energy sources, and ignoring the spirit of the law. I urge the Commission to reject language that defines a “Retained REC” and that allows for the retirement of “retained RECs” for compliance with CETA.

I appreciate the diligence that Commission staff, as well as other stakeholders, utilities, and partners have shown during the complex rulemaking process for CETA. As you finalize the rule, King County encourages the Commission to adopt compliance standards that move Washington state toward 100 percent clean energy supplies. Thank you again for the opportunity to comment.

Sincerely,

A handwritten signature in black ink that reads "Dow Constantine". The signature is written in a cursive, flowing style.

Dow Constantine
King County Executive