

**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of)	DOCKET NO. UE-031226
)	
Puget Sound Energy,)	ORDER NO. 01
)	
Petitioner,)	
)	
Seeking Exception from the)	
Provisions of WAC 480-107-060)	
Relating to Filing deadline for)	ORDER GRANTING
Draft RFP)	EXCEPTION FROM RULE
.....)	

BACKGROUND

- 1 On July 28, 2003, Puget Sound Energy (PSE or the Company) filed a petition requesting exception from WAC 480-107-060 as to filing deadline.

- 2 WAC 480-107-060, requires electric companies to file a draft request for proposal (RFP) for resources consistent with its least cost plan (Plan), within 90 days of filing this Plan. Having filed its Plan April 30, 2003, its deadline was July 29, 2003.

- 3 PSE stated time constraints hampered its filing an RFP by July 29. They also stated that they wanted to use new planning information then under development.

- 4 Commission Staff reviewed the request and recommended granting PSE's request for exception, subject to the following conditions: that the new information be produced and that a draft RFP filing made by August 25, 2003.

FINDINGS AND CONCLUSIONS

- 5 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington vested by statute with the authority to regulate rates, rules, regulations, practices, accounts, securities, and transfers of public service companies, including electric companies. *RCW 80.01.040; Chapter 80.04 RCW and Chapter 80.28 RCW.*
- 6 (2) PSE is engaged in the business of providing electric services within the state of Washington and is a public service company subject to the jurisdiction of the Commission under the provisions of Chapter 80.28 RCW.
- 7 (3) PSE is subject to the provisions of WAC 480-107-060, requiring electric companies to file draft RFP for Commission review within 90 days of filing their least cost plan.
- 8 (4) WAC 480-107-170(3) provides that the Commission may grant an exception to any rule in Chapter 480-107 WAC, as may be appropriate in individual cases.
- 9 (5) This matter was brought before the Commission at its regularly scheduled meeting on October 8, 2003.
- 10 (6) After review of the petition filed in Docket UE-031226 by PSE on July 28, 2003, and giving due consideration, the Commission finds that the exception is reasonable and should be granted.

ORDER

THE COMMISSION ORDERS:

- 11 (1) Puget Sound Energy is granted an exception from WAC 480-107-060, filing date for its required draft RFP.
- 12 (2) This exception is subject to the following condition that PSE having filed a draft RFP in Docket UE-031353, continue meeting its obligation under WAC Chapter 107.
- 13 (3) The Commission retains jurisdiction over the subject matter and Puget Sound Energy to effectuate the provisions of this Order.

The Commissioners, having determined this Order to be consistent with the public interest, directed the Secretary to enter this Order.

DATED at Olympia, Washington, and effective this 8th day of October, 2003.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary