



# PREPROPOSAL STATEMENT OF INQUIRY

**CR-101 (October 2017)**  
**(Implements RCW 34.05.310)**  
Do **NOT** use for expedited rule making

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FILED

**DATE: October 18, 2017**  
**TIME: 8:51 AM**  
**WSR 17-21-097**

**Agency:** Washington Utilities and Transportation Commission

**Subject of possible rule making:**

The purpose of this rulemaking is to implement Engrossed Substitute Senate Bill (ESSB) 5939 which was passed and signed into law in the 2017 legislative session. The potential rulemaking would create a new chapter related to community solar companies in Title 480 WAC. The rulemaking would be limited to the provisions of ESSB 5939, including:

- Define "community solar company"
- Licensing, registration, revocation
- Annual reporting
- Record keeping
- Consumer protection
- Fees
- Process to identify entities other than utilities that organize and administer community solar projects and those offered by investor-owned utilities.

This rulemaking has been assigned Docket UE-171033.

**Statutes authorizing the agency to adopt rules on this subject:**

RCW 80.28, 82.16, and 80.01.040

**Reasons why rules on this subject may be needed and what they might accomplish:**

The 2017 Legislature passed legislation (ESSB 5939) adding a new section to RCW 80.28 requiring community solar companies to register with the commission before engaging in business in this state or applying for certification from the Washington State University extension energy program. Registrations must be on a form prescribed by the commission and must occur on an annual basis. In addition, the commission is authorized to establish application processing fees and regulatory fees. Additionally, the commission may adopt rules to establish the solar company's responsibility for responding to consumer issues.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:**

The Washington State University extension energy program will be issuing community solar project certifications.

**Process for developing new rule (check all that apply):**

- Negotiated rule making
- Pilot rule making
- Agency study

Other (describe) The Commission will ask for initial written comments by November 20, 2017, schedule a workshop if needed, and provide the opportunity for stakeholders to submit additional written comments on draft rules and proposed CR-102 rules prior to adoption.

**Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:**

Name: Executive Director and Secretary Washington Utilities and Transportation Commission	(If necessary) Name:
Address: P.O. Box 47250 1300 S. Evergreen Park Drive SW Olympia, WA 98504-7250	Address:
Phone: (360) 664-1234	Phone:
Fax:	Fax:
TTY:	TTY:

Email: records@utc.wa.gov

Web site: https://www.utc.wa.gov/e-filing

Other:

Email:

Web site:

Other:

Additional comments:

### WRITTEN COMMENTS AND STAKEHOLDER WORKSHOP

Written comments must be filed with the Commission no later than 5 p.m., November 20, 2017, for consideration at the January 10, 2018, stakeholder workshop. Comments must be provided in electronic format. You may submit comments via the Commission's Web portal at <http://www.utc.wa.gov/e-filing> or by electronic mail to the Commission's Records Center at records@utc.wa.gov. Please include:

- The docket number of this proceeding (UE-171033).
- The commenting party's name.
- The title and date of the comment or comments.

An alternative method for submitting comments is mailing or delivering an electronic copy to the Commission's Records Center on a thumb drive, CD, or DVD in .pdf format (created using Adobe Acrobat or comparable software) or in Microsoft Word. Include all of the information requested above. The Commission will post all comments on its web site. The web site is located at <http://www.utc.wa.gov/UE-171033>.

Opportunity for further comment is anticipated. Information about the schedule and other aspects of the rulemaking, including comments, will be posted on the Commission's web site as it becomes available. If you wish to receive further information on this rulemaking you may (1) call the Commission's Records Center at 360-664-1234, or (2) e-mail the Commission at records@utc.wa.gov. When contacting the Commission, please refer to Docket UE-171033 to ensure that you are placed on the appropriate service list. Questions may be addressed to Bridgit Feeser (360) 664-1111 or email at bfeeser@utc.wa.gov.

### NOTICE

**TO CONTINUE RECEIVING NOTICES AND INFORMATION ABOUT THIS RULEMAKING** -- The Commission wants to ensure its mailings are sent to persons who are interested in the topic and want to receive that information. ANY PERSON WHO COMMENTS will continue to receive notices and information. If you do not submit comments but wish to remain on the mailing list for this rulemaking please advise the Records Center, by sending an email with your name, address, telephone, referencing Docket UE-171033, and the words "Please keep me on the mailing list" to records@utc.wa.gov. Please note that all information in the mailings will be accessible through the Commission's Internet web site <http://www.utc.wa.gov/UE-171033>. **THOSE INTERESTED PERSONS WHO DO NOT RESPOND MAY NOT RECEIVE FURTHER MAILINGS OR INFORMATION ON THE RULEMAKING.**

**Date:** October 18, 2017

**Name:** Steven V. King

**Title:** Executive Director and Secretary

**Signature:**

