



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 04, 2019

TIME: 11:16 AM

WSR 19-21-016

Agency: Washington Utilities and Transportation Commission

Subject of possible rule making: This rulemaking, filed in Docket UE-190652, will address changes to WAC 480-109. These changes include amendments to clarify or streamline the rules, incorporate changes to the Energy Independence Act (EIA) found in the Laws of 2019, Chapter 288, which were passed as Engrossed Second Substitute Senate Bill 5116 (E2SSB 5116, portions of which are now codified in RCW 19.405), and changes from the Laws of 2017, Chapter 315, which were found in Engrossed Senate Bill 5128 (ESB 5128). This notice includes an initial set of draft rule language to most efficiently consider these statutory and select other changes.

Statutes authorizing the agency to adopt rules on this subject: RCW 80.01.040, 80.04.160, 19.285.080, and 19.405.100.

Reasons why rules on this subject may be needed and what they might accomplish: The Commission adopted its existing EIA rules on March 12, 2015, by General Order R-578 in Docket UE-131723, promulgated as chapter 480-109 WAC. Since that time the Legislature amended the EIA statute in the 2017 and 2019 legislative sessions, and the statute now includes provisions and legislative intent that are not explicitly addressed in the Commission's rules. Furthermore, regulated companies' changing resource portfolios have identified areas of the rules needing revision to better address recent advances and needs within the Washington energy industry. Additionally, the Commission's experience in administering the EIA rules since 2015 has provided insight into opportunities for improving those processes.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: The Commission will coordinate with the State of Washington Department of Commerce by sharing drafts, communicating informally, and attending Commerce workshops on the same subject.

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

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe) The UTC employs a collaborative rulemaking process that may consist of stakeholder workshops, formal comments, and draft rule reviews.


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

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(If necessary)

Name:
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Additional comments:

Date: October 4, 2019	Signature: 
Name: Mark L. Johnson	
Title: Executive Director and Secretary	