

Docket UE-190652 EIA Rulemaking
Notice of Opportunity to Comment – Attachment A

Eligible renewable resources

The Laws of 2017, Chapter 315, § 1, amends the definition of “eligible renewable resource” to add incremental electricity from biomass capital investments. The Laws of 2019, Chapter 288, §§ 28(12)(g) and (h), and 29(2)(l), add incremental electricity and renewable energy credits marketed by the Bonneville Power Administration.

The draft rules add this language to the relevant definitions in WAC 480-109-060 and to the RPS in WAC 480-109-200(9). Alternatively, the rule definition could refer back to RCW 19.285.030 rather than including the entire definition in WAC 480-109-060.

Use of non-emitting electric generation

The Laws of 2019, Chapter 288, §§ 2(28) and 29(2)(m), require utilities, beginning in 2030, to generate or source 100 percent of its electricity from any combination of renewable or non-emitting resources.

The proposed revisions in WAC 480-109-060(22) and 480-109-200(10) incorporate the new language.

Renewable energy credits for eligible hydropower upgrades

The Laws of 2019, Chapter 288, §§ 28(20) and 29(2)(e), require the creation and retirement of renewable energy credits (RECs) for eligible hydropower upgrades.

The proposed revisions in WAC 480-109-060(12), and 480-109-200(2) and (3), update REC eligibility with the new language.

Renewable resource definition

The Laws of 2019, Chapter 288, § 28, amends the definition of “renewable resource” to remove a reference to RCW 82.29A.135.

The draft rules remove this language from WAC 480-109-060(31).

Council definition

The draft rules remove the definition of “Council” in WAC 480-109-060. The Laws of 2007, Chapter 1, § 3, defines “Council” as the Washington state apprenticeship and training council, while Commission rules currently define it as the Northwest Power and Conservation Council. Deleting this definition necessitates additional changes to WACs 480-109-060(29) and 480-109-100(8).

RPS report correction

The draft rules propose moving WAC 480-109-210(2)(d)(i) to WAC 480-109-210(6). The Commission requires utilities to include some information about REC usage because RCW 19.285.040(2)(f)(ii) explicitly disallows any resources used for voluntary renewable energy programs in RCW 19.29A.090. However, actual REC usage is determined at the compliance stage in WAC 480-109-210(6), not the planning stage in WAC 480-109-210(2). The proposed move would adjust the RPS reporting rule accordingly.