

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of

PUGET SOUND ENERGY

Petition for Waiver of WAC 480-109-200(3)

DOCKET UE-160757

PETITION FOR WAIVER OF
COMMISSION RULE

I. INTRODUCTION

1. In accordance with WAC 480-07-110(2), WAC 480-07-370(b), and Order 01, Paragraph 8 of Docket UE-160757, Puget Sound Energy (“PSE” or the “Company”) respectfully petitions the Washington Utilities and Transportation Commission (“Commission”) for an order waiving the requirements of WAC 480-109-200(3) authorizing the Company to use eligible hydropower generation resources that were not yet registered in the Western Renewable Energy Generation Information System (“WREGIS”) towards compliance with the Company’s 2016 renewable resource target.
2. PSE is engaged in the business of providing electric and gas service within the state of Washington as a public service company, and is subject to the regulatory authority of the Commission as to its retail rates, service, facilities and practices. Its full name and mailing address are:

Puget Sound Energy
Attn: Katherine Barnard
Director, Revenue Requirements & Regulatory Compliance
P.O. Box 97034
Bellevue, Washington 98009-9734

3. Rules and statutes that may be brought at issue in this Petition include RCW 80.01.040, RCW 80.28.020 and WAC 480-07-370(b).

II. SUMMARY OF PETITION

4. PSE is seeking a waiver from the provision requiring that all eligible hydropower generation and all renewable energy credits used for utility compliance with the renewable resource target must be registered in WREGIS.¹
5. PSE is unable to comply with the WREGIS registration requirement for its 2016 incremental hydro due to what was an arduous process to register the incremental hydro in WREGIS. This marked the first time any incremental hydro had been registered in Washington for the sole purpose of Washington's Energy Independent Act ("EIA") compliance, and PSE worked with the Washington Department of Commerce ("Commerce") and WREGIS to establish and document a process in order to accomplish this.
6. In the Company's 2016 Final Compliance Report, filed concurrently with this petition, the Company reports the use of the incremental hydro from its Lower Baker and Snoqualmie Falls projects towards compliance of its 2016 renewable resource target.

¹ WAC 480-109-200(3)

III. BACKGROUND

7. Although the Washington EIA recognizes incremental hydropower as an eligible renewable resource², the statute does not allow for incremental hydropower to generate a REC³. Therefore, the EIA did not explicitly require eligible hydropower resources to be registered in WREGIS to be used for RPS compliance. While the EIA did not explicitly require eligible hydropower resources to be registered in WREGIS, the broader goals of tracking RPS compliance and ensuring that resources were not being double counted, led the Commission to adopt new rule language regarding registration in WREGIS of all facilities used to comply with Washington's EIA (General Order R-578, Docket UE-131723). Specifically, WAC 480-109-200(3) requires that "[a]ll eligible hydropower generation and all renewable energy credits used for utility compliance with the renewable resource target must be registered in WREGIS, regardless of facility ownership."
8. PSE worked with the Washington Department of Commerce along with WREGIS to develop a process to register incremental hydro when it is solely for the purpose of meeting Washington RPS compliance and successfully registered its Snoqualmie Falls and Lower Baker facilities in WREGIS on June 6, 2016. In its Order approving PSE's compliance with its 2016 renewable energy target reporting requirements in Docket UE-160757, the Commission wrote:
 8. (5) Puget Sound Energy must request a waiver of the WREGIS registration requirement in WAC 480-109-200(3) for its incremental hydro production from Lower Baker and Snoqualmie Falls facilities for any generation prior to the second quarter of 2016

² RCW 19,285.030(11)

³ RCW 19.285.030(20).

9. Because incremental hydro is a “use-it-or-lose-it” resource, and must be the first resource applied to a utility’s target year, PSE requests that it be allowed to use its incremental hydro for meeting its 2016 renewable energy target. PSE did not sell or trade its incremental hydro and therefore PSE believes it has met the intent of the rule.
10. PSE has discussed this petition with Commission Staff and Staff supports this petition.
11. PSE filed a similar Petition for Waiver in its 2015 RPS Docket (UE-151164), which was approved in Order 02 issued June 29, 2017.

IV. REQUEST FOR RELIEF

12. Based on the foregoing, PSE respectfully requests that the Commission grant the Company a waiver from the requirements of WAC 480-109-200(3) and authorize the Company to use its 2016 incremental hydro towards compliance with the Company’s renewable resource target for 2016.

Respectfully submitted this 1st day of May, 2018.

/s/ Chris Schaefer

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