

If the departing Customer ~~disputes~~ has requested a the Stranded Cost Recovery Fee (SCRF) provided by the Company, ~~the Company will work with the departing Customer as follows:~~

- a. The Company will respond with an estimated SCRF within 60 days, based on the date of anticipated disconnection stated by the Customer.
- b.a. Within 30 days after receiving the Company's SCRF, the Customer must decide whether to proceed with disconnection by notifying the Company.
- c. If the Customer will proceed with disconnection, the Customer must either: (1) pay the SCRF as calculated; or (2) notify the Company that the Customer intends to obtain, at its own expense, an evaluation of the Company's SCRF by an independent third-party. If the Customer elects to have an independent third-party evaluation of the SCRF, the Customer must provide the results of the evaluation to the Company within 60 days from the date it elected to obtain such analysis. The Company must respond to the independent third-party evaluation within 30 days after the Customer provides it.
- d.b. The Company will take reasonable steps to provide the independent third-party evaluator with information necessary to calculate the Company's SCRF within 10 business days from the date the evaluator requests the information. If the independent third-party evaluator requests confidential information, the Company will take reasonable and timely steps to negotiate a confidentiality or non-disclosure agreement with the independent third-party evaluator. The Company, however, has no obligation to provide the independent third-party evaluator with confidential information without first entering into a confidentiality or non-disclosure agreement.
- e.e. The Company and the Customer will make reasonable efforts to informally resolve any disputes regarding the Company's SCRF and the alternative analysis prepared by the third-party evaluator. If the alternative analysis suggests modification to the Company's SCRF calculation, and the Company agrees with the modifications, the Company will recalculate the SCRF incorporating the third-party analysis. The Company's determination on the SCRF will be provided to the customer in response to the third-party evaluator's analysis as described in section 7(c) of this rule.
- f.d. The independent third-party evaluator's recommendations will not be binding on the parties.
- g.e. If informal efforts to resolve the disputed SCRF are unsuccessful, the Commission will assign a qualified ~~Customer may request~~ mediator as described in WAC 480-07-710 before filing a formal commission complaint is filed.
- h.f. If an SCRF is mutually agreed-upon, and the ~~For~~ disconnections involves ~~ing~~ a load 1 megawatt or larger, the Company and Customer will submit the a mutually agreed-upon SCRF to the Commission for review and approval.
- i. Once an SCRF is determined, either by agreement or Commission order, the Customer will begin paying the SCRF after permanent disconnection has occurred, over a period not to exceed 2 years from the date of disconnection.

Commented [JEC1]: This preliminary step could avoid the need for any further process, and a decision not to continue with disconnection would presumably be welcomed by the Company.

Commented [TD2]: Aligning timelines with data request timelines in WAC 480-07-405(7)(a)(2).

Commented [JEC3]: If the -710 mediation rule will expressly govern, then active Commission assignment of a mediator would track -710(3).

Commented [JEC4]: This should capture the original intent, but avoids the conundrum of a requirement to submit an agreed-upon SCRF when there is no agreement.

Commented [JEC5]: As noted in prior Boise comments, the planning associated with a large customer disconnection could implicate a significant delay between SCRF determination and actual disconnection.

Commented [JEC6]: Also as noted in prior Boise comments, since the Company would not incur a stranded cost impact as single, one-time event, requiring a SCRF payment as a single lump sum from a departing customer would seem unnecessary.

The Company may decommission some or all of the underground conduit and vaults dedicated to provide service to the departing Customer if a safety or operation concern exists, and the departing Customer has declined to purchase the equipment at net book value. The Company will safely decommission the equipment in a manner consistent with NESC guide-lines and industry best practices. Decommissioning facilities may include, but is not limited to, filling and capping conduit, severing direct-buried lines, and providing necessary back fill. All decommissioning activity will be at the Company's expense. The Company will maintain record of all decommissioned facilities, and will, as applicable, notify third-parties of the location of the decommissioned underground facilities. The Company will confirm in writing to the departing Customer all steps it took to decommission underground facilities.

Commented [JEC1]: Per Order 06 ¶¶ 107-108, an offer by the Company for sale to the customer at net book value is authorized, and this allows a departing customer the means to avoid the entire decommissioning scenario—i.e., decommissioning is premised on meeting a two-fold conjunctive requirement, including the customer first declining an opportunity to purchase.