

**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Request of)	DOCKET NO. UE-031353
)	
Puget Sound Energy,)	ORDER NO. 03
)	
Petitioner,)	
)	
Seeking Exception to the Provisions)	
of WAC 480-107-060(2)(b) Relating)	
to Length of Public Comment)	ORDER GRANTING
Period and Commission Action)	EXCEPTION TO RULE
.....)	

BACKGROUND

- 1 On December 12, 2003, Puget Sound Energy (PSE or Company) filed a draft Request For Proposals (RFP) for Electric Energy Efficiency Resources pursuant to WAC 480-107-060. This filing supplements the draft All-Source RFP filed on November 24, 2003, which was in compliance with Commission Order in this docket. The filing contains a request for exception to WAC 480-107-060(2)(b).

- 2 WAC 480-107-060(2)(b) requires electric companies to file a draft RFP ninety days before its proposed issuance date and to allow a sixty-day period for written comment.

- 3 PSE stated it believes it is in the public interest to shorten the comment period in order to make the Energy Efficiency RFP contemporaneous with the Wind Resource RFP and the draft All-Source RFP. On December 10, 2003, the Commission granted PSE's request to set a deadline of January 6, 2003, for public comment on its draft All-Source RFP. PSE requests that the Commission set a deadline of January 13, 2004, for public comment on its draft Energy Efficiency RFP, and that the Commission action be completed at the open public meeting of

January 28, 2004. The resulting written comment period is 32 days and the period for Commission action is 15 days.

- 4 Commission Staff reviewed the request and recommended granting PSE's request for exception. The public interest is served with a shortened process period to allow a contemporaneous process for the Wind Resource, All-Source and Energy Efficiency RFPs in this docket. The Company has sought to broaden awareness of this Energy Efficiency RFP by providing notice of this filing to stakeholders and potential bidders.

FINDINGS AND CONCLUSIONS

- 5 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington vested by statute with the authority to regulate rates, rules, regulations, practices, accounts, securities, and transfers of public service companies, including electric companies. *RCW 80.01.040; Chapter 80.04 RCW and Chapter 80.28 RCW.*
- 6 (2) PSE is engaged in the business of providing electric services within the state of Washington and is a public service company subject to the jurisdiction of the Commission.
- 7 (3) PSE is subject to the provisions of WAC 480-107-060, requiring electric companies to file a draft RFP ninety days before its proposed issuance date and to allow a sixty-day period for written comment.
- 8 (4) WAC 480-107-170(3) provides that the Commission may grant an exception to the provisions of any rule in Chapter 480-107 WAC as may be appropriate in individual cases.

- 9 (5) This matter was brought before the Commission at its regularly scheduled meeting on December 31, 2003.
- 10 (6) After review of the request filed in Docket UE-031353 by PSE on December 12, 2003, and giving due consideration, the Commission finds that the exception is reasonable and should be granted.

O R D E R

THE COMMISSION ORDERS:

- 11 (1) After the effective date of this Order, Puget Sound Energy is granted an exception from WAC 480-107-060(2)(b), requiring submission of a draft RFP ninety days before its issuance and sixty days for written comment.
- 12 (2) The Commission retains jurisdiction over the subject matter and Puget Sound Energy to effectuate the provisions of this Order.

The Commissioners, having determined this Order to be consistent with the public interest, directed the Secretary to enter this Order.

DATED at Olympia, Washington, and effective this 31st day of December, 2003.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary