

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of
PUGET SOUND ENERGY,

Petitioner,

For an Order Approving Proposed
Request For Proposals

DOCKETS UE-200413 and UE-200414

Puget Sound Energy’s Third Petition
for Waiver of Certain Requirements
Related to Requests for Proposals
Contained in WAC 480-107 and Orders 01
and 02

1 1. In accordance with WAC 480-107-002(3) and WAC 480-07-370(b), Puget
2 Sound Energy (“PSE”) submits this petition to the Washington Utilities and Transportation
3 Commission (the “Commission”) for a waiver of the requirement related to requests for
4 proposals (“RFP”) contained in WAC 480-107-015(3)(b) and Order 02, dated August 5,
5 2020. In Order 02, the Commission indicated that it would consider both the Draft All-
6 Source RFP and the Draft Demand Response RFP at the open meeting scheduled for
7 September 10, 2020, at which time the Commission will take action to approve or suspend
8 them. *In the Matter of the Petition of Puget Sound Energy For an Order Approving*
9 *Proposed Request For Proposals, Dockets UE-200413 & UE-200414, Order 02 (Granting*
10 *Petition for Exemption) at ¶ 9 (Aug. 13, 2020).*

1 **A. BACKGROUND**

2 2. On May 4, 2020, PSE filed the Draft All-Source RFP and the Draft Demand
3 Response RFP with the Commission in Docket UE-200414 and Docket UE-200413,
4 respectively.

5 3. On May 11, 2020, the Commission issued a Notice of Opportunity to Provide
6 Written Comments and Notice of Open Meeting (the “Notice”). The Notice required
7 interested persons to file written comments by July 6, 2020, and afforded stakeholders an
8 opportunity to provide oral comments at the July 17, 2020, recessed open meeting.

9 4. On June 30, 2020, the Commission issued a Notice of Change to Scheduled
10 Open Meeting, indicating that the recessed open meeting set for July 17, 2020, was
11 rescheduled for July 30, 2020. The deadline for filing written comments remained
12 unchanged.

13 5. The Commission received a total of 14 written comments in Dockets UE-
14 200413 and UE-200414.

15 6. On July 23, 2020, PSE filed a Petition for Waiver from Certain Request for
16 Proposals Requirements (the “First Petition”), seeking additional time for the Commission
17 to approve the Draft All-Source RFP and the Draft Demand Response RFP in Docket UE-
18 200414 and Docket UE-200413, respectively.

19 7. On July 31, 2020, the Commission issued Order 01 in Dockets UE-200413
20 and UE-200414, in which the Commission granted the First Petition. The Commission
21 stated in Order 01 that it would consider the Draft All-Source RFP and the Draft Demand

1 Response RFP at the open meeting scheduled for August 13, 2020, at which time the
2 Commission will take action to approve or suspend the draft RFPs.

3 8. On August 5, 2020, PSE filed a Petition for Waiver of Certain Requirements
4 Related to Requests for Proposals Contained in WAC 480-107 and Order 01 (the “Second
5 Petition”). In the Second Petition, PSE submitted that it had recently developed an updated
6 load forecast that reflects, among other things, the effects of the COVID-19 pandemic. This
7 updated forecast indicated a significantly lower peak capacity need than the forecast
8 indicated in either the Draft Demand Response RFP or the Draft All-Source RFP. PSE
9 requested more time to consider this issue, and it therefore requested an extension of time to
10 present its RFPs at the Commission’s open meeting dated September 10, 2020.

11 9. On August 13, 2020, the Commission granted the Second Petition. The
12 Commission stated in Order 02 that it would consider the Draft All-Source RFP and the
13 Draft Demand Response RFP at the open meeting scheduled for September 10, 2020, at
14 which time the Commission will take action to approve or suspend the draft RFPs.

15 10. On August 26, 2020, PSE submitted an informational filing seeking comments
16 from interested parties on the potential withdrawal of its Demand Response and All Source
17 RFPs. PSE indicated that it would consider all comments submitted to the All Source RFP
18 mailbox (AllSourceRFPmailbox@pse.com) by Friday, September 4, 2020. PSE further
19 indicated that it intended to make a final decision whether to pursue approval of the RFPs or
20 file a motion to withdraw the RFPs on or about September 8, 2020. If the requests are

1 withdrawn, PSE noted that it intended to integrate targeted demand response into a separate
2 Targeted Demand Side Management (“TDSM”) RFP in September of this year.

3 **B. PETITION FOR WAIVER**

4 11. WAC 480-107-002(3) permits the Commission to grant exceptions to the
5 rules governing request for proposals where such exceptions are consistent with the public
6 interest, the purposes underlying regulation, and applicable statutes. In accordance with
7 WAC 480-107-015(3)(b), PSE seeks a waiver from the deadline in Order 02 in which the
8 Commission stated that it would “consider PSE’s draft RFPs at its September 10, 2020, open
9 meeting, at which time the Commission will take action to approve or suspend them.”
10 Order 02 at ¶ 9. As noted in its information filing on August 26, 2020, PSE is seeking
11 comments from interested parties on the potential withdrawal of its Demand Response and
12 All Source RFPs. PSE intends to consider all comments submitted by September 4, 2020,
13 and make a final decision on or about September 8, 2020, about whether to pursue approval
14 of the RFPs or file a motion to withdraw the RFPs.

15 12. Although PSE still intends to make its final decision on or about September
16 8, 2020, PSE recognizes this does not afford the Commission sufficient time to review
17 PSE’s decision to proceed or to withdraw prior to the open meeting scheduled for September
18 10, 2020. Therefore, PSE is requesting a two-week extension to allow the Commission
19 sufficient time for adequate review and consideration.

1 13. For this reason, PSE requests a limited waiver of WAC 480-107-015(3)(b)
2 and Order 02 and further requests that the All-Source RFP and Demand Response RFP
3 instead be taken up at the next open meeting on September 24, 2020.

DATED: September 3, 2020

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