

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

In the Matter of the Petition of	)	DOCKET U-090366
	)	
PUGET SOUND ENERGY,	)	ORDER 01
	)	
Petitioner,	)	
	)	
	)	
	)	
	)	
	)	
Seeking Temporary Exemption from	)	
the Provisions of WAC 480-100-	)	
238(4) and WAC 480-90-238(4)	)	ORDER GRANTING
Relating to the Timing of Integrated	)	EXEMPTION FROM WAC 480-
Resource Plan Filings	)	100-238(4) and WAC 480-90-238(4)
.....	)	

**BACKGROUND**

- 1 On March 9, 2009, Puget Sound Energy (PSE) filed a petition requesting a one-time extension and modification of the filing date for its 2009 Integrated Resources Plan (IRP) from May 30, 2009, to July 30, 2009.
  
- 2 WAC 480-100-238(4) and WAC 480-90-238(4) require electric and gas companies to file an integrated resource plan within two years of its previous filing or as required by the Commission. PSE’s next integrated resource plan is due on May 30, 2009, as shown in PSE’s IRP workplan filings of May 30, 2008.<sup>1</sup>
  
- 3 In its petition, PSE explains that due to unforeseen economic conditions since it ran its modeling in July 2008 it would be advisable to update and re-run certain key modeling assumptions to reflect more current and significantly different conditions, such as falling fuel prices and economically-influenced load demand. PSE contends that the two-month time extension will allow the company to provide an IRP that is not obsolete at the time of filing, and thereby will serve the public interest. The potential for a two-month delay in filing the 2009 IRP was discussed at the March 17<sup>th</sup> IRP advisory group meeting, and no opposition was expressed.

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<sup>1</sup> Dockets UE-080949-RP and UG-080948-RP.

- 4 Commission Staff believes that the selection and timing of the lowest reasonable cost resource is strongly impacted by the accuracy of the load forecast. Because the regional and national economic growth has slowed significantly since the demand forecast was first produced, granting the exemption more appropriately serves the public interest and the underlying purpose of the IRP rule.
- 5 The Company has committed to filing the draft IRP by May 29, 2009, if the Commission grants the extension. The draft IRP would be available for a two-month public review and comment period before the final IRP is issued.
- 6 Commission Staff recommends granting PSE's request for an exemption from WAC 480-100-238(4) and WAC 480-90-438(4), thereby allowing the Company to file its 2009 IRP on July 30, 2009.

#### **FINDINGS AND CONCLUSIONS**

- 7 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington vested by statute with the authority to regulate the rates, rules, regulations, practices, accounts, securities, transfers of property and affiliated interests of public service companies, including gas and electric companies. *RCW 80.01.040, RCW 80.04, RCW 80.08, RCW 80.12, RCW 80.16 and RCW 80.28.*
- 8 (2) PSE is engaged in the business of providing gas and electric services within the state of Washington and is a public service company subject to Commission jurisdiction.
- 9 (3) PSE is subject to WAC 480-100-238 and WAC 480-90-238, which requires electric and gas companies to file integrated resource plans.
- 10 (4) Under WAC 480-100-008 and WAC 480-90-008, the Commission may grant an exemption from the provisions of any rule in chapters 480-100 WAC and 480-90 WAC, if consistent with the public interest, the purposes underlying regulation and applicable statutes. *See also WAC 480-07-110.*

- 11 (5) This matter came before the Commission at its regularly scheduled meeting on April 9, 2009.
- 12 (6) After reviewing PSE's petition filed in Docket U-090366 on March 9, 2009, and giving due consideration, the Commission finds that the exemption is reasonable and should be granted.

**ORDER**

**THE COMMISSION ORDERS:**

- 13 (1) After the effective date of this Order, Puget Sound Energy's request for an exemption from WAC 480-100-238(4) and WAC 480-90-238(4) is granted to allow the Company to file its 2009 integrated resource plan on July 30, 2009.
- 14 (2) The Commission retains jurisdiction over the subject matter and Puget Sound Energy to effectuate the provisions of this Order.

DATED at Olympia, Washington, and effective April 13, 2009.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

JEFFREY D. GOLTZ, Chairman

PHILIP B. JONES, Commissioner