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November 17, 2017

Steven V. King
Executive Director and Secretary
Washington Utilities & Transportation Commission
1300 S. Evergreen Park Drive S. W.
P.O. Box 47250
Olympia, Washington 98504-7250

Re: Docket No. UE-171033 – Comments of Avista Utilities on Rulemaking to Implement Rules Regarding the Utilities and Transportation Commission’s Jurisdiction and Regulation of Community Solar Companies

Dear Mr. King,

Avista Corporation, dba Avista Utilities (Avista or Company), submits the following comments in accordance with the Washington Utilities and Transportation Commission’s (“Commission”) Notice of Opportunity to Submit Written Comments (“Notice”) issued in Docket UE-171033 on October 19, 2017 regarding the Commission’s rulemaking to implement rules related to the Commission’s jurisdiction and regulation of community solar companies. Pursuant to the Notice, Avista submits the following comments to the questions posed in the Notice.

- 1. Consumer rules for electric companies are found in Washington Administrative Code (WAC) 480-100-103 through 480-100-199. Based on your understanding of community solar company business practices, are there any sections of WAC 480-100 that should not be applied to the new consumer protection rules and why? Are there additional consumer protection issues that we should address?**

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Response: Given the nature of service that community solar companies will provide, most of the sections of WAC 480-100 are likely not applicable as the community solar company will not be replacing the customers' electric utility. Avista believes that the sections that may be applicable are 153 – Disclosure of private information and 173 – Electric utility responsibility for complaints and disputes. As this rulemaking progresses the Company may have additional recommendations on rules for which it believes should apply to community solar companies.

2. **We examined WAC 480-14 as an example of rules for applications; reporting; fees; and suspension, cancellation, and reinstatement of permits. Specifically, we looked at WAC 480- 14-140, 480-14-150, 480-14-180, 480-14-190, 480-14-220, 480-14-230, and 480-14-999. Based on your understanding of community solar company business practices, are there other rules that should be considered? In addition, which rules do you disagree with and why?**

Response: Avista does not have experience with community solar companies as defined in ESSB 5939. As such, it does not have any comments to add regarding additional rules that should be considered at this time.

3. **ESSB 5939 identifies community solar projects as no larger than 1000 kilowatts with at least 10 participants. If a project has fewer than 10 participants, does that project need to be included on the list published by the commission?**

Response: Based on Avista's reading of ESSB 5939, projects with fewer than 10 participants may need to be published by the Commission. ESSB 5939, Section 7(2), states "a community solar project must have a direct current nameplate capacity that is no more than one thousand kilowatts and must have at least ten participants or one participant for every ten kilowatts of direct current nameplate capacity, whichever is greater." (emphasis added) With the emphasized language, a simple criteria of having ten or more participants does not appear to be sufficient, such that, some very small community solar projects may

need to be published. As the Commission is determining which community solar projects should be published, the Company advocates that any community solar project serving customers of an electric utility under jurisdiction of the Commission should be published. Regardless of project size, it is beneficial for the Commission and other stakeholders to be aware of community solar companies serving customers of the utilities under the Commission's jurisdiction.

- 4. Based on your understanding of community solar company business practices, are there other rules that should be considered? Which rules do you disagree with and why?**

Response: Avista does not have experience with community solar companies as defined in ESSB 5939. As such, it does not have any comments to add regarding additional rules that should be considered at this time.

Avista appreciates the opportunity to provide these comments. Please direct any questions regarding these comments to Shawn Bonfield at (509) 495-2782 or shawn.bonfield@avistacorp.com.

Sincerely,

/s/Linda Gervais

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Avista Utilities