



April 25, 2025

Jeff Killip
Executive Director and Secretary
State of Washington Utilities and Transportation Commission
621 Woodland Square Loop S.E.
Lacey, Washington 98503

RE: DOCKET UE-210183. COMMENTS OF CENTER FOR RESOURCE SOLUTIONS IN RESPONSE TO THE UTILITIES AND TRANSPORTATION COMMISSION APRIL 1, 2025, NOTICE OF OPPORTUNITY TO FILE WRITTEN COMMENTS ON DRAFT RULES RELATING TO COMPLIANCE WITH THE CLEAN ENERGY TRANSFORMATION ACT.

Dear Executive Director Killip:

The Center for Resource Solutions (CRS) appreciates the opportunity to provide comments on the April 1, 2025, proposed rule revisions issued by the Washington Utilities and Transportation Commission (Commission) concerning compliance with the Clean Energy Transformation Act (CETA). We commend the Commission for its thoughtful integration of stakeholder feedback and for adopting provisions that meaningfully strengthen the regulatory framework supporting Washington's clean energy transition.

We offer these comments to express our **strong support** for the Commission's recent revisions, which reflect key recommendations previously submitted by CRS, the U.S. Environmental Protection Agency (EPA), and other clean energy stakeholders. These rule changes advance the statutory objectives of CETA by providing legal clarity, preventing double counting, and enabling effective participation in organized electricity markets without compromising environmental integrity.

I. Affirming the Legal Inseparability of RECs and NPAs

We commend the Commission for codifying the principle that **nonpower attributes (NPAs) may only be used for primary compliance when no Renewable Energy**

Certificates (RECs) are generated. This is clearly established in WAC 480-100-6XXa(4) and (9) of the revised rules.

This provision is essential to maintaining consistency with RCW 19.405.020(30), which defines a REC to include all associated NPAs. It also aligns with definitions from the Western Renewable Energy Generation Information System (WREGIS), the EPA, and other market frameworks. By affirming that **NPAs cannot be separated from RECs where RECs are issued**, the Commission has closed a significant potential loophole and preserved the integrity of Washington’s clean energy accounting system.

We also support WAC 480-100-6XXa(8), which provides **strong and clear safeguards against double counting**, consistent with statutory requirements and national best practices.

II. Enabling Market Participation While Upholding Environmental Claims

We strongly support the language in WAC 480-100-6XXa(6), which allows utilities to use electricity acquired from centralized electricity markets for primary compliance **provided they also acquire the associated RECs or NPAs**. This flexibility:

- Supports the growth and efficiency of organized electricity markets;
- Respects the structure and function of market-based resource allocation frameworks (e.g., CAISO EDAM, SPP Markets+); and
- Ensures that utilities meet compliance obligations **without undermining the environmental value of RECs or allowing for their double use**.

We particularly appreciate that the Commission has recognized the validity of “bundled market purchases” where utilities pair market-allocated electricity with separately acquired RECs. This approach reflects how centralized markets function and **enables compliance without requiring RECs to be transacted directly within the markets**, which would otherwise hinder participation.

These rules encourage innovation and regional collaboration while anchoring compliance in rigorous and verifiable environmental claims.

III. Refining Terminology for Clarity and Consistency

We support the inclusion of updated definitions in WAC 480-100-605, including new terms such as **“resource allocation framework,” “attribution,” and “market allocation”**. These definitions reflect evolving practices in electricity market design and help ensure consistent interpretation across jurisdictions.

IV. Advancing Washington's Leadership on Clean Energy Integrity

Together, the rule revisions issued on April 1, 2025, represent a significant step forward in ensuring that **market-based electricity procurement does not compromise the integrity of clean energy claims**, either in Washington or beyond. These rules:

- **Reinforce statutory compliance** by affirming that RECs are required where issued;
- **Prevent double counting** of renewable attributes across programs and jurisdictions;
- **Support fair REC pricing** by avoiding artificial suppression through “unbundled” NPA claims;
- **Coordinate with national tracking systems**, such as WREGIS, to facilitate accurate accounting; and
- **Promote cross-state alignment**, serving as a model for integrating market-based procurement with strong environmental safeguards.

By embedding these protections, the Commission has ensured that utilities can continue to participate in evolving regional markets while upholding the full environmental value of clean electricity.

CRS thanks the Commission for its leadership and careful attention to stakeholder input in this rulemaking. The April 2025 draft rules provide a clear, workable, and enforceable framework that supports Washington's greenhouse gas neutrality and renewable energy targets. We strongly support the Commission's direction and urge adoption of the proposed rules as written.

Please do not hesitate to contact us if additional detail or clarification would be helpful.

Sincerely,

_____/s/____

Lucas Grimes

Manager, Policy