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Jeff Killip
Executive Director and Secretary
Washington Utilities and Transportation Commission
P. O. Box 47250
Olympia, WA 98504-7250

Re: ***Electricity Markets and Compliance with the Clean Energy Transformation Act,***
Docket UE-210183

Dear Director Killip:

The Public Counsel Unit of the Washington Attorney General's Office (Public Counsel) submits these comments to the Washington Utilities and Transportation Commission (Commission) in response to its Notice of Opportunity to File Written Comments (Notice) in Docket UE-210183. Public Counsel appreciates the opportunity to file comments on the Commission's draft rules.

Public Counsel's comments in this instance are narrowly focused on a new provision included in WAC 480-100-6XXb which directs utilities to include in their portfolio planning documents "a scenario, based on an hourly analysis, of how effectively the preferred portfolio in subsection 6XXb-(2) would achieve primary compliance obligations under low renewable output conditions."

Public Counsel appreciates the Commission's intention to solicit projections which may inform the evaluation of a utility's performance in the case that low renewable years occur in the future, as the Commission explains in its Notice. Public Counsel supports this planning requirement in principle and believes it may benefit utilities' efforts to develop more resilient energy portfolios.

However, these draft rules do not reference a definition in statute or in rule of "low renewable output conditions," nor do they propose to add such a definition to WAC 480-100-605. For the purposes of establishing a clear and uniform standard for utilities to model around, Public Counsel recommends that the Commission propose or refer to a standard for "low renewable output conditions," or alternatively solicit proposals on this point from parties engaged in this rulemaking.

Similarly, Public Counsel recommends that the Commission clarify its intent behind the phrase "how effectively" by briefly summarizing the information it expects utilities to report under this

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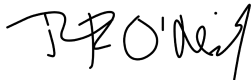
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portfolio planning requirement.

Establishing a standard for these projections now will enable clearer comparisons in the portfolio planning process and provide uniform benchmarks against which to measure a utility's performance in the case that low renewable output years occur in the future.

Public Counsel appreciates this opportunity to engage on the Commission's rulemaking efforts. If you have any questions about this filing, please contact the undersigned or Stefan de Villiers at Stefan.deVilliers@ATG.WA.GOV or 206-464-6215.

Sincerely,



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