

**BEFORE THE WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION**

In the matter of the Rulemaking to consider
adoption of Markets and Compliance
Requirements for the Clean Energy
Transformation Act

DOCKET NO. UE-210183

NORTHWEST & INTERMOUNTAIN
POWER PRODUCERS COALITION'S
COMMENTS ON FINAL DRAFT
RULES

I. INTRODUCTION

The Northwest & Intermountain Power Producers Coalition (“NIPPC”) provides these Comments pursuant to the Washington Utilities and Transportation Commission’s (the “Commission”) July 18, 2025 Notice of Opportunity to Provide Comments (“Notice”) on draft rules issued July 18, 2025 (the “Draft Rules”). NIPPC continues to believe the Commission has broad discretion to interpret and implement the Clean Energy Transformation Act (“CETA”), including the long-disputed word “use”,¹ to best effectuate the legislative intent, which is for Washington State and particularly Washington’s electric utilities to decarbonize strategically and cost-effectively. NIPPC appreciates the opportunity to comment and generally supports the Draft Rules as proposed.

II. COMMENTS

In previous drafts of the rules, NIPPC raised several concerns, which have been largely addressed in previous draft rules or the current Draft Rules. Some of NIPPC’s previous concerns related to the interpretation of “use” under a procurement-based or consumption-based approach, monthly retirement requirement, double counting language, competitive market language

¹ See generally NIPPC Comments on Draft Rules (Nov. 12, 2021); NIPPC Comments for ‘Use’ Workshop (Feb. 16, 2024).

alignment, ability to use retained nonpower attributes, hourly reporting requirements, and more.² If the rules are revised related a previous area of NIPPC concern, then NIPPC’s previous comments would continue to apply.

As noted in previous comments, NIPPC supports the procurement-based approach proposed in rules because it can leverage the cost savings and decarbonization benefits of existing and emerging competitive regional market mechanisms.³ NIPPC also supports revisions to the rules that made the rules on competitive markets clearer.⁴ Further, NIPPC supports the removal of the monthly retirement requirement.⁵ Finally, NIPPC supports the clarification related to double counting within another load-based program because a resource that complies with Washington’s renewable portfolio standard under the Energy Independence Act should also be able to be used for compliance under CETA because the renewable portfolio standard is not a load-based program.⁶

² For more discussion on NIPPC’s previous concerns and recommendations, *see* NIPPC Comments on Draft Rules (Nov. 12, 2021); NIPPC’s Comments on Additional Draft Rules (Dec. 6, 2021); NIPPC’s Comments on Second Draft Rules (Feb. 9, 2022); NIPPC’s Comments on Final Draft Rules (Apr. 22, 2022); NIPPC’s Comments on Draft Rules (Nov. 27, 2023); NIPPC’s Comments for ‘Use’ Workshop (Feb. 16, 2024); NIPPC’s Comments on Draft Rules (May 10, 2024); Joint Comments (June 21, 2024); NIPPC’s Comments on Draft Rules (Nov. 27, 2024).

³ *See* NIPPC Comments on Draft Rules at 1-17 (Nov. 12, 2021); NIPPC’s Comments for ‘Use’ Workshop at 2-9 (Feb. 16, 2024).

⁴ *See* NIPPC’s Comments on Draft Rules at 2-3 (May 10, 2024); NIPPC’s Comments on Draft Rules at 3 (Nov. 27, 2024); *see generally* Draft Rules at WAC 480-100-605 “Centralized electricity market”, “Market allocation”, “Resource allocation framework”, and WAC 480-100-670(6) (July 18, 2025).

⁵ *See* NIPPC’s Comments on Draft Rules at 3-6 (May 10, 2024); Joint Comments (June 21, 2024); NIPPC’s Comments on Draft Rules at 1-2 (Nov. 27, 2024); *Compare* Draft Rules WAC 480-100-6XX(3) Use of NPAs other than unbundled RECs to comply with the greenhouse gas neutral standard (Apr. 9, 2024) *to* Draft Rules (Nov. 4, 2024), Draft Rules (Apr. 1, 2025), and Draft Rules (July 18, 2025) (monthly retirement requirement removed).

⁶ *See* NIPPC’s Comments on Draft Rules at 7-8 (May 10, 2024); NIPPC’s Comments on Draft Rules at 2-3 (Nov. 27, 2024); *Compare* Draft Rule WAC 480-100-6XX(8) Use of

III. CONCLUSION

NIPPC appreciates the opportunity to comment, supports the Commission’s various clarifications throughout the Draft Rules, and looks forward to the Commission’s adoption of rules resolving the interpretation of “use.”

Dated this 19th day of August 2025.

Respectfully submitted,

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NPAAs other than unbundled RECs to comply with the greenhouse gas neutral standard (Apr. 9, 2024) to Draft Rules at WAC 480-100-670(8) (July 18, 2025) (“A utility may retire a REC or demonstrate ownership of an NPA for the purpose of primary compliance only if the utility demonstrates that there is no double counting of that REC, NPA, or the associated clean energy *within another load-based program* in Washington or other jurisdictions” (emphasis added)).