

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of

Rulemaking to consider potential long-term changes and improvements to customer notice, credit, and collection rules, including permanent elimination of late fees, disconnection and reconnection fees, and deposits

DOCKET U-210800

THE ENERGY PROJECT REQUEST
FOR CASE CERTIFICATION AND
NOTICE OF INTENT TO REQUEST
A FUND GRANT

1 Pursuant to RCW 80.28.430, and the Washington Interim Participatory Funding Agreement (Funding Agreement) approved by the Washington Utilities and Transportation Commission (Commission),¹ The Energy Project (TEP) hereby submits this Request for Case Certification and Notice of Intent to Request a Fund Grant (Notice and Request).

2 Notice of Intent To Request Fund Grant. Pursuant to Section 6.2 of the Funding Agreement, TEP provides this Notice of Intent to Request a Fund Grant from the Customer Representation Sub-Funds of the Consumer Access Funds for Puget Sound Energy, PacifiCorp, Northwest Natural, Cascade Natural Gas Corporation, and Avista Corporation.² Those utilities are designated as “Participating Public Utilities” in Article 1(g) of the Funding Agreement.

3 This Notice and Request is filed within the time designated by the Commission in the July 20, 2022 Notice of Date for Submission of Notice of Intent to Seek Funding and Request for Case Certification (July 20 Notice). This Notice and Request has also been served on the Participating Public Utilities.

4 Eligible Proceeding. This rulemaking to consider potential long-term changes and improvements to utility credit and collection practices (Rulemaking) constitutes an “Eligible Proceeding” under Article 1(c) of the Funding Agreement. As the Commission noted in the July

¹ Docket U-210595, Order 01 (February 24, 2022).

² See Funding Agreement § 4.2.

20 Notice, the Rulemaking is an energy regulatory proceeding within the meaning of RCW 80.28.430,³ and will be carried out under the auspices of Washington’s public service laws and Commission regulations.⁴ The Rulemaking will materially affect the public interest. The Commission has observed that credit and collection practices during the COVID-19 crisis have had substantial impacts on customers and utilities, including customers struggling to pay bills.⁵ Many of the long-term changes to credit and collection practices contemplated in this Rulemaking have the potential to improve energy security and financial stability for customers across the state.

5 Request for Case Certification. The Energy Project requests case-certification in this matter as a customer representative organization pursuant to section 5.2.1 and 6.2 of the Funding Agreement. The Energy Project meets the criteria for case-certification found in section 5.2.1.⁶

- a. Non-Profit. TEP is fiscally sponsored by the Opportunity Council, which is a non-profit organization.
- b. Broad Customer Interests. TEP represents the interests of vulnerable populations, including thousands of low-income customers in the State of Washington. RCW 80.28.430(1) recognizes “organizations representing low-income . . . customers” as a type of organization that represents “broad customer interests in regulatory proceedings.”
- c. Effective Representation. TEP focuses its regulatory engagement on issues that have a material impact on low-income customers and vulnerable populations. TEP works generally with utilities and other stakeholders to develop and expand rate assistance, energy efficiency programs, renewable energy projects, electric vehicle transportation

³ July 20 Notice at 2, fn. 2.

⁴ CR-101 at 1 (March 18, 2022) (reviewing statutory authority and applicable regulations).

⁵ *Id.*

⁶ The Commission recently determined that TEP met the case certification requirements in the PSE General Rate Case. *Washington Utilities & Transportation Commission v Puget Sound Energy (PSE 2022 GRC)*, Dockets UE-220066/UG-220067, Order 08, ¶¶ 20-22.

infrastructure, and other matters impacting low-income customers and vulnerable populations in Washington. TEP serves on the utilities' low-income and energy efficiency advisory committees. TEP also works with entities delivering low-income services that are funded by the Washington State Department of Commerce, including Community Action Agencies that provide rate assistance and energy efficiency programs for low-income customers. Through intervention and participation in Commission proceedings concerning rates, mergers, property transfers, policy statements, and rulemakings over the past two decades, including many involving topics addressed in the Rulemaking, TEP has effectively represented and directly and materially benefited low-income customers and vulnerable populations. Indeed, the Commission has discussed and relied upon TEP's testimony on disconnection practices and the design of low-income assistance programs in prior proceedings.⁷ TEP can continue to effectively represent the interests of low-income customers and vulnerable populations in this proceeding.

- d. Adequacy of Representation. The Energy Project is the only party focusing solely on the interests of low-income customers in this proceeding. The activities described above demonstrate that TEP can effectively advance the specific interests of low-income customers and vulnerable populations, as well as the general public interest in fair, just, reasonable, and equitable utility rates and practices.
- e. No Delay. To date, TEP has actively participated in the Rulemaking by submitting comments and attending the Virtual Workshop, without delaying or disrupting the proceeding. As demonstrated by the track record described above of participating in general rate cases and other significant proceedings before the Commission, TEP's participation will not unduly delay this proceeding going forward.

⁷ *Washington Utilities & Transportation Commission v. Cascade Natural Gas Corporation*, Docket UG-200568, Order 05, ¶¶ 335-357 (May 18, 2021) (discussing TEP's testimony).

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For the foregoing reasons, TEP respectfully requests that the Commission grant this Request for Case Certification and accept its Notice of Intent to Request a Fund Grant.

DATED: September 29, 2022

By: /s/Yochanan Zakai

Yochanan Zakai, Oregon State Bar No. 130369*
Peter Damrosch, California State Bar No. 343460
SHUTE, MIHALY & WEINBERGER LLP
396 Hayes Street
San Francisco, California 94102
(415) 552-7272
yzakai@smwlaw.com
pdamrosch@smwlaw.com

Attorneys for The Energy Project

* Mr. Zakai is not a member of the State Bar of California.
Notice of Intent of The Energy Project