

April 14, 2020

VIA WASHINGTON DEPARTMENT OF ECOLOGY COMMENT PORTAL

Bill Drumheller
Washington Department of Ecology
300 Desmond Dr. SE
Lacey, WA 98503

Re: PacifiCorp's Comments on Energy Transformation Project Rules

PacifiCorp dba Pacific Power and Light Company (PacifiCorp) appreciates the opportunity to provide comments as part of the Clean Energy Transformation Act (CETA) rulemaking process regarding the development of a protocol to establish the eligibility of Energy Transformation Projects (ETPs).

During the March 16, 2020 workshop, the Washington Department of Ecology (Ecology) referenced that it is considering accelerating the timeline to develop and implement a protocol that would provide guidance to utilities on the eligibility of ETPs. PacifiCorp supports a potential acceleration of Ecology's rulemaking process, and appreciates Ecology's willingness to streamline the process to develop a protocol. PacifiCorp's recommendations for the development of an ETP protocol are as follows:

- ***If possible, the ETP protocol should be finalized in time for utilities to consider ETPs as part of the first Clean Energy Implementation Plan (CEIP) filing.*** CETA directs utilities to prepare and file the first CEIP no later than January 1, 2022. As the CEIP will provide the first opportunity to set interim targets and begin to provide details regarding how utilities will comply with CETA, the ability to include ETPs as part of the filing would be ideal. To facilitate the inclusion of ETPs in the first CEIP filing, clarity regarding the rules, parameters, and evaluation process for ETP eligibility would be very helpful. PacifiCorp is supportive of any acceleration of the rulemaking timeline to identify a workable protocol.
- ***Additional clarity on Ecology's potential use of protocols and advisory opinions would be helpful.*** There has been some discussion regarding how the protocol – once implemented – will aid the Washington Utilities and Transportation Commission, the Washington Department of Commerce, and the State Auditor's office in the determination of ETP compliance. PacifiCorp supports the protocol plan outlined in Ecology's draft rules from February 6, 2020, which states that the protocol

“will create a category of potentially-eligible types of [ETPs]... with a goal of ensuring that the criteria and requirements established in RCW 19.405.040(2) are clearly defined, relevant to, and actionable for the projects or programs that fall within that category of potentially eligible types of ETPs.”

The establishment of a protocol that provides parameters to help other state agencies determine whether an ETP is eligible, prudent, and compliant under CETA would be extremely helpful, and would likely provide the clarity needed for utilities to include ETPs as part of the CEIP filings.

However, PacifiCorp would appreciate additional clarity regarding a proposed review process for ETPs. PacifiCorp is supportive of voluntary submission of a potential ETP, and a review and issuance of a preliminary advisory opinion by Ecology – perhaps acknowledgement that an ETP meets the statutory guidelines and/or protocol parameters – but would ask that any opinion serve only as guidance to the Commission or the state auditor’s office for a utility’s compliance determination.

PacifiCorp appreciates the opportunity to provide comment in advance of the May 25 deadline, and looks forward to reviewing the comments of other regulatory parties in this proceeding.

It is respectfully requested that all communications related to this proceeding be sent to the following:

By Email: WashingtonDockets@pacificorp.com
IRP@pacificorp.com

Please direct informal inquiries to Jacob Goodspeed, Regulatory Affairs Project Manager, at (503) 813-6840.

Sincerely,



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