

August 25, 2023

VIA E-MAIL:

Attention: Luke Martland
Washington Department of Ecology – Air Quality Program
P.O. Box 47600
Olympia, WA 98504-7600

Re: PacifiCorp’s Informal Comments on Electricity Markets Rulemaking Process

PacifiCorp d/b/a Pacific Power (PacifiCorp) respectfully submits these comments in response to Ecology’s request for informal comments for the Electricity Markets Rulemaking under the Climate Commitment Act, following its Electricity Markets Informational Meetings on July 25 and August 2, 2023.

At this time, PacifiCorp’s informal comments are limited to recommendations for rulemaking process. PacifiCorp looks forward to continued discussion, including the treatment of multijurisdictional entities, throughout the course of this rulemaking.

PacifiCorp encourages Ecology to seek a technically-informed, inclusive and collaborative stakeholder process. PacifiCorp’s suggestions for process improvement are similar to the recommendations made by the Public Generating Pool in its informal comments to Ecology dated August 4, 2023. Robust stakeholder engagement should ultimately save the state time and effort by ensuring that the initial draft rules are informed by a collaborative process, are more likely to be supported by stakeholders, and are technically feasible and legally sound.

PacifiCorp recommends that Ecology:

1. **Consider remaining flexible with its rule adoption timeline, in particular to allow for an expanded Rule Announcement phase.** The CCA states that by October 1, 2026, Ecology must, in consultation with the Department of Commerce (Commerce) and Utilities and Transportation Commission (UTC), “adopt by rule a methodology for addressing imported electricity associated with a centralized electricity market”¹ by October 1, 2026. The draft Ecology schedule anticipates that rules are adopted by July 2024. PacifiCorp anticipates that a robust stakeholder engagement process could take longer than the six months currently allotted during the Rule Announcement phase, especially given the need for technical expertise and avoiding unintended consequences for regulated entities.
2. **Consider engaging a technical expert to facilitate rule language development and related meetings.** During the Rule Announcement phase, Ecology has indicated that it will host two meetings focused on developing the rule language. A third-party facilitator with technical expertise would potentially help ensure engagement from a broad range of

¹ RCW 70A.65.080(1)(c)

stakeholders, and that consequences of the specific rule language to all regulated parties are thoroughly vetted, including multijurisdictional entities.

3. **Consider presenting rule concepts during market operator workshops.** PacifiCorp recognizes that there are multiple stakeholder engagement workstreams already in development regarding GHG treatment in organized markets, including CAISO's upcoming GHG Coordination Working Group series.² Presenting rule concepts during these workshops would allow Ecology additional opportunity to seek informal feedback prior to rule language proposals.

PacifiCorp thanks Ecology for its efforts with the CCA to-date, and requests the agency consider the Company's comments.

Sincerely,

/s/ Michael Wilding

Vice President, Energy Supply Management
PacifiCorp

² <https://stakeholdercenter.caiso.com/StakeholderInitiatives/Greenhouse-gas-coordination-working-group>