Energy Northwest (Allison Krienke)

Energy Northwest appreciates the opportunity to provide comments on the Washington State Department of Ecology's Clean Fuel Standard Rulemaking. We respectfully submit the following comments to Ecology in response to the public rulemaking session on chapter 173-424 WAC and WAC 173-455-150 Fees + Credit Monetization on July 15, 2026.

Treatment of Fast Charging Infrastructure (FCI) in the Participation Fee Structure:
Energy Northwest would like to provide feedback on the proposed program fee. Energy Northwest has 14 approved Fast Charging Infrastructure (FCI) Pathways, and our participation fee as an opt-in credit generator will go up significantly based on the proposed $150 opt-in flat fee with additional $1,000 fee per pathway. $14,150 would be a 3,787% increase from the 2026 participation fee of $364.

Energy Northwest suggests participation through the FCI Pathways not be treated as a separate pathway subject to the pathway participation fee because it significantly reduces the economic value of participation and may unintentionally undermine the program's intended purpose. Additionally, participants may interpret the pathway fee as an added burden of the program, potentially discouraging pathway enrollment and slowing early adoption of fast charging projects in areas that are underserved by charging infrastructure. If Ecology finds that FCI pathways should be subject to the Pathway fee, Energy Northwest recommends that there should be a tiered fee depending on the type and volume of Pathways.

Treatment of Base Credits in the Participation Fee Structure:
We recommend considering an approach under which entities generating base credits would be subject only to the opt-in participation fee and not an additional per-credit fee associated with those credits.

For public utility districts (PUDs), revenues associated with Clean Fuel Standard participation are subject to statutory spending requirements and are directed toward transportation electrification and other program-related investments that benefit Washington residents. Imposing additional per-credit fees on base credits may reduce the resources available for these required investments. Furthermore, participants could perceive the fee as an additional burden associated with joining the program, potentially discouraging participation and limiting the growth of carbon-free transportation projects.

To improve transparency regarding this impact, we also recommend updating the PUD Spending Report requirements and reporting template to specifically identify and account for Ecology participation fees as an eligible expenditure or reporting category. Including this information would provide a more complete picture of program costs and help Ecology better understand how participation fees affect the ability of PUDs to deploy program revenues toward intended public purposes.

Energy Northwest appreciates Ecology's commitment to maintaining a strong and effective Clean Fuel Standard program and thank you very much for your time and consideration as you review these comments. We welcome the opportunity for further clarification and discussion of our comments.