PREPROPOSAL STATEMENT OF INQUIRY

Agency: Washington State Department of Commerce

Subject of possible rule making: Documentation of incremental generation as a result of capital investments by qualified biomass energy facilities

Statutes authorizing the agency to adopt rules on this subject: RCW 19.285.080(2); Chapter 315, Laws of 2017.

Reasons why rules on this subject may be needed and what they might accomplish:

Section 3 of Engrossed Senate Bill 5128 requires that Commerce establish by rule a methodology for calculating the baseline level of generation for the purpose of measuring eligible incremental generation.

Commerce expects to amend WAC 194-37-135 to add documentation requirements and establish the baseline generation methodology for incremental generation from qualified biomass energy facilities.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:
The Utilities and Transportation Commission (UTC) regulates investor-owned utilities, including their compliance with the Energy Independence Act. Commerce will coordinate the rulemaking with the UTC through staff-to-staff communications prior to each step.

Process for developing new rule (check all that apply):
- [ ] Negotiated rule making
- [ ] Pilot rule making
- [x] Agency study
- [ ] Other (describe) Standard rule making

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:
(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.)
Commerce will conduct an initial stakeholder workshop; the date and location will be posted on the EIA rulemaking web page: http://www.commerce.wa.gov/about-us/rulemaking/i-937-rulemaking/. The web page includes an initial draft of rule language for stakeholder review.

Interested parties may submit written comments until **July 14, 2017**. Send comments by email to eia@commerce.wa.gov. All rulemaking documents and schedules will be posted on the web page. For questions or suggestions contact Glenn Blackmon, glenn.blackmon@commerce.wa.gov, (360) 725-3115.

DATE
June 6, 2017

NAME (TYPE OR PRINT)
Jaime Rossman

SIGNATURE

TITLE
Rules Coordinator

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: June 06, 2017
TIME: 11:28 AM
WSR 17-12-094