PROPOSED RULE MAKING

Agency: Washington State Department of Commerce

CR-102 (June 2012)
(Implements RCW 34.05.320)
Do NOT use for expedited rule making

Title of rule and other identifying information: (Describe Subject)

Hearing location(s):
Washington State Department of Commerce
1011 Plum Street SE
Olympia, WA 98504

Date: 09/6/2017 Time: 10:00 am

Submit written comments to:
Name: Glenn Blackmon, Energy Office
Address: P.O. Box 42525
Olympia, WA 98504-2525
e-mail EIA@commerce.wa.gov
fax by (date) 9/6/2017

Assistance for persons with disabilities: Contact
Carolee Sharp by 8/30/2017
TTY (360) 586-0772 or (360) 725-3118

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

The proposed amendment establishes documentation requirements and the baseline generation methodology for incremental generation from qualified biomass energy facilities, consistent with the requirements of Chapter 315, Laws of 2017 (Engrossed Senate Bill 5128).

Reasons supporting proposal:

The 2017 legislation expands the eligibility under the Energy Independence Act (Chapter 19.285 RCW) of electricity generated by pre-1999 biomass generating facilities. Incremental generation, above a historical baseline, is eligible if it results from capital investment completed in 2010 or after. The rule is required in order to establish documentation requirements and to provide a methodology for determining the baseline level of generation.


CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON

DATE: July 28, 2017
TIME: 9:51 AM
WSR 17-16-103

(COMPLETE REVERSE SIDE)
Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:
None.

<table>
<thead>
<tr>
<th>Name of proponent: (person or organization)</th>
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<td>Washington State Department of Commerce</td>
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<tr>
<th>Name of agency personnel responsible for:</th>
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<tbody>
<tr>
<td>Name</td>
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<tr>
<td>Glenn Blackmon, Department of Commerce</td>
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<tr>
<td>Office Location</td>
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<td>1011 Plum Street SE</td>
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<tr>
<td>Olympia, WA 98504-2525</td>
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<tr>
<td>Phone</td>
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<tr>
<td>(360) 725-3115</td>
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| Implementation:                            |
| Washington State Department of Commerce    |
| 1011 Plum Street SE                        |
| Olympia, WA 98504-2525                     |
| (360) 407-6000                            |

| Enforcement:                              |
| Washington State Department of Commerce    |
| 1011 Plum Street SE                        |
| Olympia, WA 98504-2525                     |
| (360) 407-6000                            |

Has a small business economic impact statement been prepared under chapter 19.85 RCW or has a school district fiscal impact statement been prepared under section 1, chapter 210, Laws of 2012?
- Yes. Attach copy of small business economic impact statement or school district fiscal impact statement.
  
  A copy of the statement may be obtained by contacting:
  Name:  
  Address:  
  phone ( ) ____________  
  fax ( ) ____________  
  e-mail ________________

- No. Explain why no statement was prepared.

A SBEIS is not required for this rulemaking as none of the affected entities are small businesses. Not applicable.

Is a cost-benefit analysis required under RCW 34.05.328?
- Yes. A preliminary cost-benefit analysis may be obtained by contacting:
  Name:  
  Address:  
  phone ( ) ____________  
  fax ( ) ____________  
  e-mail ________________

- No. Please explain:
Subsection 5(a)i of RCW 34.05.328 does not require Commerce to provide a cost-benefit analysis. Not applicable.