

Chapter 194-40 Clean Energy Transformation

Compliance Standards

Workshop Discussion Draft

194-40-300 – Documentation concerning coal-fired resources [19.405.030(1)]

- (1) Each utility must publish by June 1, 2027, and each year thereafter, an attestation by the chief executive officer of the utility certifying that the utility's allocation of electricity for Washington retail electric load in the prior calendar year did not include any electricity generated at a coal-fired resource.
- (2) The purchase of electricity, where the source is unknown at the time of purchase, for a term not to exceed one month, is not a coal-fired resource and does not preclude a utility from making the attestation required by subsection (1).
- (3) If the utility purchased or otherwise acquired electricity for Washington retail electric load for a term greater than one month and the source of that electricity is unknown at the time of purchase, the utility may rely on operational data, such as electronic tags used to schedule the transmission and delivery of the electricity, to demonstrate that the electricity was not generated using coal as a fuel source.

194-40-310 – Documentation of nonemitting electric generation [19.405.040(1)]

- (1) Any utility using nonemitting electric generation to comply with a requirement under RCW 19.405.040 or RCW 19.405.050 must demonstrate that it owns the nonpower attributes of that electricity and that it has committed to use the nonpower attributes exclusively for the stated compliance purpose.
- (2) A utility may demonstrate ownership of nonpower attributes using attestations of ownership and transfer by properly authorized representatives of the generating facility, all intermediate owners of the nonemitting electric generation, and the chief executive officer of the utility.
- (3) A utility may demonstrate ownership of the nonpower attributes of the nuclear portion of BPA's standard electricity product by relying on a representation of a properly authorized representative of BPA stating the nonemitting percentage of its electricity product and verifying that BPA did not separate the nonpower attributes associated with the nuclear generation.

194-40-320 – Use of electricity from renewable resources and nonemitting electric generation [19.405.040(1)]

- (1) For the purposes of RCW 19.405.040(1)(a)(ii), a utility uses electricity if it generated the electricity using its own generating facility or if it acquired, in a single transaction, ownership of the electricity and the nonpower attributes of that electricity. If the source of the electricity is outside the Western Interconnection, the utility must have had the capability to provide for delivery of that electricity to the utility's distribution system.
- (2) If a utility using electricity as provided in subsection (1) sells or transfers ownership of the electricity to any entity that is not its Washington retail customer, it may not use the nonpower attributes of that electricity for compliance with the GHG Neutral Standard unless the electricity transaction identified the electricity as unspecified electricity and the utility retained ownership of the nonpower attributes.