
SENATE BILL 5661

State of Washington 55th Legislature 1997 Regular Session

By Senators Finkbeiner, Brown, Strannigan, Rossi, Hochstatter and Oke

Read first time 02/05/97. Referred to Committee on Energy & Utilities.

1 AN ACT Relating to the electric utility industry; and adding a new
2 chapter to Title 80 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** The definitions in this section apply
5 throughout this chapter unless the context clearly indicates otherwise.

6 (1) "Ancillary services" means scheduling, reactive power, voltage
7 control, and other services that allow a retail electric customer to
8 use distribution facilities and that are not subject to the exclusive
9 jurisdiction of the federal energy regulatory commission. "Ancillary
10 services" does not include long-term emergency or backup power to
11 replace the loss of generation resources or to cover that portion of a
12 customer's load that exceeds generation supply.

13 (2) "Commission" means the utilities and transportation commission.

14 (3) "Direct access" means the right of all retail electric
15 customers and electricity service suppliers to interconnect with and
16 use distribution facilities on a nondiscriminatory basis to transport
17 electricity from any source by or on behalf of any retail electric
18 customer. "Direct access" is also known as "retail wheeling."

1 (4) "Distribution facilities" means the equipment and
2 infrastructure used to deliver electricity to retail electric
3 customers, except a transmission facility.

4 (5) "Electrical company" means a company owned by investors that
5 meets the definition of RCW 80.04.010.

6 (6) "Electric cooperative" means a cooperative or association
7 organized under chapter 23.86 RCW.

8 (7) "Electric utility" means any electrical company, public utility
9 district, electric cooperative, or municipal electric utility, that is
10 engaged in the business of distributing electricity to retail electric
11 customers in the state.

12 (8) "Electricity" means electric energy, measured in kilowatt
13 hours, or electric capacity, measured in kilowatts.

14 (9) "Electricity service supplier" means any person or entity that
15 sells electricity to more than one retail electric customer, including
16 but not limited to electric utilities, aggregators, marketers, brokers,
17 independent power producers, or other municipal or state authorities.

18 (10) "Governing body" means the board of directors; the council of
19 a city or town; or the commissioners of an electric cooperative,
20 municipal electric utility, or public utility district, respectively,
21 that has the authority to set and approve rates.

22 (11) "Load" means the amount of electricity delivered or required
23 by a retail electric customer at a specific point of delivery.

24 (12) "Municipal electric utility" means a city or town that owns
25 and operates an electric utility authorized by chapter 35.92 RCW.

26 (13) "Public utility district" means a district authorized by
27 chapter 54.04 RCW that sells electricity to retail electric customers.

28 (14) "Retail electric customer" means any person or entity,
29 including but not limited to a residential, commercial, and industrial
30 consumer, that purchases electricity for ultimate consumption and not
31 for resale.

32 (15) "Transmission facility" means plant and equipment used to
33 transmit electricity in interstate commerce and whose rates, terms, and
34 conditions are subject to the exclusive jurisdiction of the federal
35 energy regulatory commission.

36 NEW SECTION. **Sec. 2.** (1) The commission has the authority to
37 approve pilot programs for direct access with retail electric customers
38 of individual electrical companies.

1 (2) The governing body of a public utility district, municipal
2 electric utility, or electric cooperative has the authority to approve
3 pilot programs for direct access with retail electric customers.

4 NEW SECTION. **Sec. 3.** No later than January 1, 1998, every
5 electric utility shall: (1) Separate its generation, transmission, and
6 distribution assets and operations to accurately assess the costs of
7 utility functions and to allow for fair and accurate pricing of
8 unbundled services; and (2) publish separate rates, terms, and
9 conditions for at least the following unbundled products and services:
10 Electricity; ancillary services; and direct access to distribution
11 facilities.

12 NEW SECTION. **Sec. 4.** No later than January 1, 1998, every bill to
13 a retail electric customer from an electricity service supplier must
14 contain, among other things: (1) A complete and accurate list of the
15 rates and amount due for each unbundled service or product that the
16 customer is purchasing; (2) the rates and amount of state and local
17 taxes, if any, imposed on the customer; and (3) other price information
18 necessary to facilitate customer choice, as determined by the
19 commission for electrical companies, pursuant to rules adopted under
20 RCW 80.04.160, and by the governing body of public utility districts,
21 municipal electric utilities, and electric cooperatives.

22 NEW SECTION. **Sec. 5.** Sections 1 through 4 of this act constitute
23 a new chapter in Title 80 RCW.

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