
SENATE BILL 6414

State of Washington

62nd Legislature

2012 Regular Session

By Senator Ranker

Read first time 01/23/12. Referred to Committee on Energy, Natural Resources & Marine Waters.

1 AN ACT Relating to the issuance of advisory opinions to qualifying
2 utilities that are not investor-owned on whether a proposed electric
3 generation project or conservation resource qualifies to meet a target
4 under RCW 19.285.040; and adding a new section to chapter 19.285 RCW.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 19.285 RCW
7 to read as follows:

8 (1) If requested by a qualifying utility that is not investor-
9 owned, the Washington State University extension energy program shall
10 provide analysis and an advisory opinion on whether a proposed electric
11 generation project or conservation resource qualifies to meet a target
12 under RCW 19.285.040. The advisory opinion must include a legal
13 analysis. When forming its advisory opinion, the energy program must:
14 (a) Consult with the technical and legal staff of the department of
15 commerce; and (b) solicit and consider comments from interested
16 parties, including staff of the requesting utility. The energy program
17 may also consult other experts as needed.

18 (2) Qualifying utilities that are not investor-owned may apply for
19 an advisory opinion from the Washington State University extension

1 energy program. The application must be in writing and must include
2 information that accurately describes the proposed project or resource.
3 Within one hundred twenty days of receiving an application, the energy
4 program must issue a signed advisory opinion on whether the proposed
5 project or resource qualifies to meet a target under RCW 19.285.040.
6 The governing body of the applicant must either adopt or reject the
7 advisory opinion after public notice and hearing. An advisory opinion
8 adopted by the governing body under this subsection (2) is dispositive
9 regarding the eligibility of the proposed project or resource under RCW
10 19.285.040 and for the purposes of RCW 19.285.060, but only if: (a)
11 The advisory opinion affirmatively qualified the project or resource;
12 and (b) the project or resource is built or acquired as proposed.

13 (3) Nothing in this section is intended to preempt the authority of
14 any governing body of a utility that is not investor-owned from making
15 a determination, independent of the process in subsection (2) of this
16 section, on whether a proposed electric generation project or
17 conservation resource may qualify to meet a target under RCW
18 19.285.040.

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