

WAC 480-103-135 Complaints and disputes. (1) **Complaints to the company.** A community solar company must establish procedures for resolving complaints it receives from a customer, project participant, or applicant. At a minimum, the company must take the following actions when it receives such a complaint:

- (a) Acknowledge the company's receipt of the complaint;
- (b) Upon request, identify the company representative the complainant can contact concerning the complaint;
- (c) Investigate the complaint promptly as required by the particular case;
- (d) Report the results of the investigation to the complainant;
- (e) Take corrective action, if warranted, as soon as practicable under the circumstances;
- (f) Inform the complainant of the right to escalate the complaint to a supervisor at the company if the complainant is dissatisfied with the results, decision, or any corrective action the company has taken; and
- (g) Inform the complainant, if still dissatisfied after speaking with a supervisor, of the commission's address and toll-free telephone number and of the complainant's right to file a complaint with the commission.

(2) **Complaints to the commission.** Customers, project participants, or applicants should attempt to resolve their disputes with a community solar company prior to filing a complaint with the commission. Customers, project participants, applicants, or their representatives may file the following types of complaints:

(a) *Informal complaints.* A person may make an informal complaint against the company as provided in WAC 480-07-910. The commission will investigate all such complaints and will work with the company and the complainant to resolve the dispute. As part of that investigation, the company must:

- (i) Conduct its own investigation of the complaint and report the results to the commission within five business days or by a date the commission specifies;
- (ii) Keep the commission informed of progress the company and the complainant have made toward resolving the complaint; and
- (iii) Respond to any commission request for additional information within five business days of the request or by a date the commission specifies.

(b) *Formal complaints.* A person may file a formal complaint against the company as provided in WAC 480-07-370. Upon receipt of a formal complaint, the commission will determine the appropriate action to take including, but not limited to, whether to initiate an adjudication to resolve the dispute.

(3) **Records of complaints.** Each community solar company must keep a record of all complaints it receives, either directly or upon referral from the commission, for at least seven years and, upon request, make those records readily available for commission review. The records for each complaint must contain:

- (a) The complainant's name and address;
- (b) The date and nature of the complaint;
- (c) Any and all actions the company took in response to the complaint;
- (d) The final disposition of the complaint; and
- (e) All company documents regarding the complaint.

(4) **Actions pending complaint resolution.** The community solar company may not terminate a project participant's contract while the

participant is pursuing any remedy or appeal provided by commission rule or while engaged in the dispute resolution process required by this section. Pending resolution of any complaint, moneys not in dispute must be paid when due, and the company must correct any conditions posing a danger to health, safety, or property. The company must inform the complainant of these requirements when referring the complainant to a company supervisor or to the commission.

[Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 18-20-098 (Docket UE-171033, General Order R-595), § 480-103-135, filed 10/2/18, effective 11/2/18.]