

**WAC 480-106-010 Obligations of qualifying facilities to the utility.** (1) The owner or operator of a qualifying facility purchasing or selling electricity under this chapter must execute a written agreement with the utility stating at a minimum that:

(a) The owner or operator of the qualifying facility will construct and operate all interconnected qualifying facilities within its control in accordance with all applicable federal, state, and local laws and regulations to ensure system safety and reliability of interconnected operations;

(b) The qualifying facility will furnish, install, operate, and maintain in good order and repair, and without cost to the utility, such switching equipment, relays, locks and seals, breakers, automatic synchronizers, and other control and protective apparatus determined by the utility to be reasonably necessary for the safe and reliable operation of the qualifying facility in parallel with the utility's system, or the qualifying facility may contract for the utility to do so at the qualifying facility's expense; the qualifying facility's delivery of electricity to the utility must be at a voltage, phase, power factor, and frequency as reasonably specified by the utility; and

(c) The utility at all times must have access to all switching equipment capable of isolating the qualifying facility from the utility's system.

(2) To the extent that the qualifying facility will assume responsibility for the safe operation of the interconnection facilities, the qualifying facility is not required to assume responsibility for negligent acts of the utility.

(3) The utility may operate the switching equipment described in subsection (1)(c) of this section if, in the sole opinion of the utility, continued operation of the qualifying facility in connection with the utility's system may create or contribute to a system emergency. Such a decision by the utility is subject to commission verification in accordance with WAC 480-106-070 System emergencies. The utility must endeavor to minimize any adverse effects of such operation on the owner or operator of a qualifying facility.

[Statutory Authority: RCW 80.01.040, 80.04.160, and 34.05.220. WSR 19-13-031 (Docket U-161024, General Order R-597), § 480-106-010, filed 6/12/19, effective 7/13/19.]