
ENGROSSED SUBSTITUTE SENATE BILL 5770

State of Washington 52nd Legislature 1991 Regular Session

By Senate Committee on Energy & Utilities (originally sponsored by Senators Thorsness and Saling).

Read first time March 4, 1991.

1 AN ACT Relating to obtaining additional electricity supplies
2 through conservation and generation; amending RCW 80.04.250; adding a
3 new section to chapter 80.04 RCW; adding a new section to chapter
4 19.27A RCW; and creating a new section.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that the state is
7 facing an electricity shortage as growth occurs and that inadequate
8 supplies of electricity will cause harmful impacts on the entire range
9 of state citizens. The legislature further finds that the Northwest
10 power planning council has published several recommendations for
11 increasing supplies of electricity including changes in law that
12 empower utility commissions with more flexibility so as to avoid sudden
13 increases in electricity rates and an update of commercial energy
14 codes.

1 **Sec. 2.** RCW 80.04.250 and 1961 c 14 s 80.04.250 are each amended
2 to read as follows:

3 The commission shall have power upon complaint or upon its own
4 motion to ascertain and determine the fair value for rate making
5 purposes of the property of any public service company used and useful
6 for service in this state and shall exercise such power whenever it
7 shall deem such valuation or determination necessary or proper under
8 any of the provisions of this title. In determining what property is
9 used and useful for service, the commission may include the reasonable
10 costs of construction work in progress for major projects that are part
11 of the company's least cost plan.

12 The commission shall have the power to make revaluations of the
13 property of any public service company from time to time.

14 The commission shall, before any hearing is had, notify the
15 complainants and the public service company concerned of the time and
16 place of such hearing by giving at least thirty days' written notice
17 thereof, specifying that at the time and place designated a hearing
18 will be held for the purpose of ascertaining the value of the company's
19 property, used and useful as aforesaid, which notice shall be
20 sufficient to authorize the commission to inquire into and pass upon
21 the matters designated in this section.

22 NEW SECTION. **Sec. 3.** A new section is added to chapter 80.04 RCW
23 to read as follows:

24 In setting appropriate rates of return, the commission shall
25 consider the expenses associated with research, development, and
26 demonstration activities of both conservation and generating resources
27 to the extent that such expenses have been included in the utility's
28 least cost plan.

1 NEW SECTION. **Sec. 4.** A new section is added to chapter 19.27A RCW
2 to read as follows:

3 (1) The minimum state energy code for new nonresidential buildings
4 shall be the Washington state energy code, 1986 edition, as amended.
5 The state building code council may, by rule adopted pursuant to
6 chapter 34.05 RCW, amend that code's requirements for new
7 nonresidential buildings provided that:

8 (a) Such amendments increase the energy efficiency of typical newly
9 constructed nonresidential buildings; and

10 (b) Any new measures, standards, or requirements adopted must be
11 technically feasible, commercially available, and cost-effective to
12 building owners and tenants.

13 (2) In considering amendments to the state energy code for
14 nonresidential buildings, the state building code council shall
15 establish and consult with a technical advisory committee including
16 representatives of appropriate state agencies, local governments,
17 general contractors, building owners and managers, design
18 professionals, utilities, and other interested and affected parties.

19 (3) Decisions to amend the Washington state energy code for new
20 nonresidential buildings shall be made prior to December 15th of any
21 year and shall not take effect until approved by the legislature.
22 Substantial amendments to the code shall be adopted no more frequently
23 than every three years.

24 NEW SECTION. **Sec. 5.** If any provision of this act or its
25 application to any person or circumstance is held invalid, the
26 remainder of the act or the application of the provision to other
27 persons or circumstances is not affected.