
SENATE BILL 5770

State of Washington

52nd Legislature

1991 Regular Session

By Senators Thorsness and Saling.

Read first time February 19, 1991. Referred to Committee on Energy & Utilities.

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 19.27A RCW; and creating a new section.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that the state is
6 facing an electricity shortage as growth occurs and that inadequate
7 supplies of electricity will cause harmful impacts on the entire range
8 of state citizens. The legislature further finds that the Northwest
9 power planning council has published several recommendations for
10 increasing supplies of electricity including changes in law that
11 empower utility commissions with more flexibility so as to avoid sudden
12 increases in electricity rates and an update of commercial energy
13 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 to the extent that these costs
11 create a revenue requirement necessary to maintain the company's
12 financial and economic viability.

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

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

23 NEW SECTION. **Sec. 3.** A new section is added to chapter 19.27A RCW
24 to read as follows:

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

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

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

6 (2) When considering amendments to the state energy code for new
7 nonresidential buildings, the state building code council shall
8 consider the differences in cost of energy sources in different
9 counties of the state and shall by rule define "cost-effective" as this
10 term relates to any proposed measures, standards, or requirements.

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

17 (4) Decisions to amend the Washington state energy code for new
18 nonresidential buildings shall be made prior to December 15th of any
19 year and shall not take effect before July 1st of the following year.
20 Substantial amendments to the code shall be adopted no more frequently
21 than every three years.

22 NEW SECTION. **Sec. 4.** If any provision of this act or its
23 application to any person or circumstance is held invalid, the
24 remainder of the act or the application of the provision to other
25 persons or circumstances is not affected.