

2SHB 1514 - S COMM AMD

By Committee on Environment, Energy & Technology

ADOPTED 04/15/2025

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 80.04.010 and 2024 c 348 s 1 are each amended to
4 read as follows:

5 The definitions in this section apply throughout this title
6 unless the context clearly requires otherwise.

7 (1) "Automatic location identification" means a system by which
8 information about a caller's location, including the seven-digit
9 number or ten-digit number used to place a 911 call or a different
10 seven-digit number or ten-digit number to which a return call can be
11 made from the public switched network, is forwarded to a public
12 safety answering point for display.

13 (2) "Automatic number identification" means a system that allows
14 for the automatic display of the seven-digit or ten-digit number used
15 to place a 911 call.

16 (3) "Battery charging facility" includes a "battery charging
17 station" and a "rapid charging station" as defined in RCW 82.08.816.

18 (4) "Cogeneration facility" means any machinery, equipment,
19 structure, process, or property, or any part thereof, installed or
20 acquired for the primary purpose of the sequential generation of
21 electrical or mechanical power and useful heat from the same primary
22 energy source or fuel.

23 (5) "Commission" means the utilities and transportation
24 commission.

25 (6) "Commissioner" means one of the members of such commission.

26 (7) "Competitive telecommunications company" means a
27 telecommunications company which has been classified as such by the
28 commission pursuant to RCW 80.36.320.

29 (8) "Competitive telecommunications service" means a service
30 which has been classified as such by the commission pursuant to RCW
31 80.36.330.

1 (9) "Corporation" includes a corporation, company, association or
2 joint stock association.

3 (10) "Department" means the department of health.

4 (11) "Electric plant" includes all real estate, fixtures and
5 personal property operated, owned, used or to be used for or in
6 connection with or to facilitate the generation, transmission,
7 distribution, sale or furnishing of electricity for light, heat, or
8 power for hire; and any conduits, ducts or other devices, materials,
9 apparatus or property for containing, holding or carrying conductors
10 used or to be used for the transmission of electricity for light,
11 heat or power.

12 (12)(a) "Electrical company" includes any corporation, company,
13 association, joint stock association, partnership and person, their
14 lessees, trustees or receivers appointed by any court whatsoever
15 (other than a railroad or street railroad company generating
16 electricity solely for railroad or street railroad purposes or for
17 the use of its tenants and not for sale to others), and every city or
18 town owning, operating or managing any electric plant for hire within
19 this state. An electrical company may own, operate, or manage any
20 thermal energy network within this state.

21 (b) "Electrical company" does not include a company or person
22 employing a cogeneration facility solely for the generation of
23 electricity for its own use or the use of its tenants or for sale to
24 an electrical company, state or local public agency, municipal
25 corporation, or quasi municipal corporation engaged in the sale or
26 distribution of electrical energy, but not for sale to others, unless
27 such company or person is otherwise an electrical company.

28 (13) "Facilities" means lines, conduits, ducts, poles, wires,
29 cables, cross-arms, receivers, transmitters, instruments, machines,
30 appliances, instrumentalities and all devices, real estate,
31 easements, apparatus, property and routes used, operated, owned or
32 controlled by any telecommunications company to facilitate the
33 provision of telecommunications service.

34 (14) "Gas company" includes every corporation, company,
35 association, joint stock association, partnership and person, their
36 lessees, trustees or receiver appointed by any court whatsoever, and
37 every city or town, owning, controlling, operating or managing any
38 gas plant within this state. A gas company may own, control, operate,
39 or manage any thermal energy network within this state.

1 (15) "Gas plant" includes all real estate, fixtures and personal
2 property, owned, leased, controlled, used or to be used for or in
3 connection with the transmission, distribution, sale or furnishing of
4 natural gas, or the manufacture, transmission, distribution, sale or
5 furnishing of other type gas, for light, heat or power.

6 (16) "LATA" means a local access transport area as defined by the
7 commission in conformance with applicable federal law.

8 (17) "Local exchange company" means a telecommunications company
9 providing local exchange telecommunications service.

10 (18) "Noncompetitive telecommunications service" means any
11 service which has not been classified as competitive by the
12 commission.

13 (19) "Person" includes an individual, a firm or partnership.

14 (20) "Private shared telecommunications services" includes the
15 provision of telecommunications and information management services
16 and equipment within a user group located in discrete private
17 premises in building complexes, campuses, or high-rise buildings, by
18 a commercial shared services provider or by a user association,
19 through privately owned customer premises equipment and associated
20 data processing and information management services and includes the
21 provision of connections to the facilities of a local exchange and to
22 interexchange telecommunications companies.

23 (21) "Private switch automatic location identification service"
24 means a service that enables automatic location identification to be
25 provided to a public safety answering point for 911 calls originating
26 from station lines served by a private switch system.

27 (22)(a) "Private telecommunications system" means a
28 telecommunications system controlled by a person or entity for the
29 sole and exclusive use of such person, entity, or affiliate thereof,
30 including the provision of private shared telecommunications services
31 by such person or entity.

32 (b) "Private telecommunications system" does not include a system
33 offered for hire, sale, or resale to the general public.

34 (23) "Public service company" includes every gas company,
35 electrical company, telecommunications company, wastewater company,
36 and water company. Ownership or operation of a cogeneration facility
37 does not, by itself, make a company or person a public service
38 company.

39 (24) "Radio communications service company" includes every
40 corporation, company, association, joint stock association,

1 partnership, and person, their lessees, trustees, or receivers
2 appointed by any court, and every city or town making available
3 facilities to provide radio communications service, radio paging, or
4 cellular communications service for hire, sale, or resale.

5 (25) "Service" is used in this title in its broadest and most
6 inclusive sense.

7 (26) "System of sewerage" means collection, treatment, and
8 disposal facilities and services for sewerage, or storm or surface
9 water runoff.

10 (27) "Telecommunications" is the transmission of information by
11 wire, radio, optical cable, electromagnetic, or other similar means.
12 As used in this definition, "information" means knowledge or
13 intelligence represented by any form of writing, signs, signals,
14 pictures, sounds, or any other symbols.

15 (28) "Telecommunications company" includes every corporation,
16 company, association, joint stock association, partnership and
17 person, their lessees, trustees or receivers appointed by any court
18 whatsoever, and every city or town owning, operating or managing any
19 facilities used to provide telecommunications for hire, sale, or
20 resale to the general public within this state.

21 (29) "Thermal energy" means piped noncombustible fluids used for
22 transferring heat into and out of buildings for the purpose of
23 either: (a) Eliminating any resultant on-site greenhouse gas
24 emissions of all types of heating and cooling processes including,
25 but not limited to, comfort heating and cooling, domestic hot water,
26 and refrigeration; (b) improving energy efficiency; or (c) both (a)
27 and (b) of this subsection.

28 (30)(a) "Thermal energy company" means any private person,
29 company, association, partnership, joint venture, or corporation
30 engaged in or proposing to engage in thermal energy services, and may
31 additionally engage in developing and producing thermal energy.

32 (b) A thermal energy company does not include any gas company,
33 electrical company, or public utility district that owns, controls,
34 operates, or manages a thermal energy network.

35 (c) A thermal energy company does not include a homeowners'
36 association providing service to units solely within its own
37 buildings.

38 (d) A thermal energy company does not include a company that
39 develops, produces, or provides thermal energy independently from the
40 company involved in the thermal energy distribution system.

1 (31) "Thermal energy network" means all real estate, fixtures,
2 and personal property operated, owned, used, or to be used for or in
3 connection with or to facilitate a utility-scale distribution
4 infrastructure project that supplies thermal energy. A thermal energy
5 network may not rely on combustion to create thermal energy, except
6 for emergency backup purposes.

7 ~~((31))~~ (32) "Thermal energy services" means transmitting,
8 distributing, delivering, furnishing, or selling to or for the public
9 thermal energy from a thermal energy system for any beneficial use
10 other than electricity generation and includes such ancillary
11 services as energy audits, metering, billing, maintenance, and
12 repairs related to thermal energy.

13 (33) "Thermal energy system" means any system that provides
14 thermal energy for space heating, space cooling, or process uses from
15 a central plant, distributed plant, or combined heat and power
16 facility, and that distributes the thermal energy to two or more
17 buildings through a network of pipes. A thermal energy system
18 includes, but is not limited to, a thermal energy network.

19 (34)(a) "Wastewater company" means a corporation, company,
20 association, joint stock association, partnership and person, their
21 lessees, trustees, or receivers that owns or proposes to develop and
22 own a system of sewerage that is designed for a peak flow of 27,000
23 to 100,000 gallons per day if treatment is by a large on-site
24 sewerage system, or to serve one hundred or more customers.

25 (b) For purposes of commission jurisdiction, wastewater company
26 does not include: (i) Municipal, county, or other publicly owned
27 systems of sewerage; or (ii) wastewater company service to customers
28 outside of an urban growth area as defined in RCW 36.70A.030.

29 ~~((32))~~ (35)(a) "Water company" includes every corporation,
30 company, association, joint stock association, partnership and
31 person, their lessees, trustees or receivers appointed by any court
32 whatsoever, and every city or town owning, controlling, operating, or
33 managing any water system for hire within this state.

34 (b) For purposes of commission jurisdiction, "water company" does
35 not include any water system serving less than 100 customers where
36 the average annual gross revenue per customer does not exceed \$300
37 per year, which revenue figure may be increased annually by the
38 commission by rule adopted pursuant to chapter 34.05 RCW to reflect
39 the rate of inflation as determined by the implicit price deflator of
40 the United States department of commerce. The measurement of

1 customers or revenues must include all portions of water companies
2 having common ownership or control, regardless of location or
3 corporate designation.

4 (c) "Control" is defined by the commission by rule and does not
5 include management by a satellite agency as defined in chapter
6 70A.100 RCW if the satellite agency is not an owner of the water
7 company.

8 (d) "Water company" also includes, for auditing purposes only,
9 nonmunicipal water systems which are referred to the commission
10 pursuant to an administrative order from the department, or the city
11 or county as provided in RCW 80.04.110.

12 (e) Water companies exempt from commission regulation are subject
13 to the provisions of chapter 19.86 RCW. A water company cannot be
14 removed from regulation except with the approval of the commission.
15 Water companies subject to regulation may petition the commission for
16 removal from regulation if the number of customers falls below 100 or
17 the average annual revenue per customer falls below \$300. The
18 commission is authorized to maintain continued regulation if it finds
19 that the public interest so requires.

20 (~~(+33+)~~) (36) "Water system" includes all real estate, easements,
21 fixtures, personal property, dams, dikes, head gates, weirs, canals,
22 reservoirs, flumes or other structures or appliances operated, owned,
23 used or to be used for or in connection with or to facilitate the
24 supply, storage, distribution, sale, furnishing, diversion, carriage,
25 apportionment or measurement of water for power, irrigation,
26 reclamation, manufacturing, municipal, domestic or other beneficial
27 uses for hire.

28 **Sec. 2.** RCW 80.04.550 and 2015 3rd sp.s. c 19 s 12 are each
29 amended to read as follows:

30 (1) It is the intent of the legislature to exempt from commission
31 regulation (~~(thermal energy services provided by)~~) thermal energy
32 companies in operation or under development before July 1, 2025, and
33 combined heat and power facilities that are not otherwise regulated
34 under this title. Nothing in this section shall prevent the
35 commission from issuing or enforcing any order affecting combined
36 heat and power facilities owned or operated by an electrical company
37 that are subsidized by a regulated service.

38 (2) Nothing in this title shall authorize the commission to make
39 or enforce any order affecting rates, tolls, rentals, contracts or

1 charges for service rendered, or the adequacy or sufficiency of the
2 facilities, equipment, instrumentalities, or buildings, or the
3 reasonableness of rules or regulations made, furnished, used,
4 supplied, or in force affecting any (~~thermal energy system owned and~~
5 ~~operated by any thermal energy company or by a combined heat and~~
6 ~~power facility engaged in thermal energy services.~~

7 ~~(3) For the purposes of this section:~~

8 ~~(a) "Thermal energy company" means any private person, company,~~
9 ~~association, partnership, joint venture, or corporation engaged in or~~
10 ~~proposing to engage in developing, producing, transmitting,~~
11 ~~distributing, delivering, furnishing, or selling to or for the public~~
12 ~~thermal energy services for any beneficial use other than electricity~~
13 ~~generation;~~

14 ~~(b) "Thermal energy system" means any system that provides~~
15 ~~thermal energy for space heating, space cooling, or process uses from~~
16 ~~a central plant or combined heat and power facility, and that~~
17 ~~distributes the thermal energy to two or more buildings through a~~
18 ~~network of pipes;~~

19 ~~(c) "Thermal energy" means heat or cold in the form of steam,~~
20 ~~heated or chilled water, or any other heated or chilled fluid or~~
21 ~~gaseous medium; and~~

22 ~~(d) "Thermal energy services" means the provision of thermal~~
23 ~~energy from a thermal energy system and includes such ancillary~~
24 ~~services as energy audits, metering, billing, maintenance, and~~
25 ~~repairs related to thermal energy):~~

26 (a) Thermal energy company operating a thermal energy system that
27 has less than five independent customers and less than 250
28 residential end users, unless the thermal energy company chooses to
29 opt-in to commission regulation by providing the commission with a
30 request to opt-in to regulation in writing.

31 (i) For the purposes of this section, "independent customer"
32 means a unique direct customer receiving thermal energy for one or
33 more buildings through one or more metered services.

34 (ii) For the purposes of this section, "residential end user"
35 means a household in a dwelling unit that is not a direct customer of
36 a thermal energy company but is located within a residential
37 multifamily building or residential portion of a mixed-use building
38 served by a thermal energy company.

39 (iii) If a thermal energy company's exempted thermal energy
40 system grows to have five or more independent customers and 250 or

1 more residential end users, the thermal energy company must submit
2 the thermal energy system to the commission in a general rate case
3 filing no later than 12 months after surpassing the exemption
4 threshold so the commission can set the rates and charges of the
5 thermal energy company;

6 (b) Thermal energy company owning and operating any thermal
7 energy system in operation before July 1, 2025, unless the thermal
8 energy company chooses to opt-in to commission regulation by
9 providing the commission with a request to opt-in to regulation in
10 writing;

11 (c) A combined heat and power facility engaged in thermal energy
12 services, unless such a facility chooses to opt-in to commission
13 regulation by providing the commission with a request to opt-in to
14 regulation in writing.

15 (3) A thermal energy company that chooses to opt-in to commission
16 regulation must remain under commission regulation and cannot
17 subsequently opt-out of commission regulation.

18 (4) A thermal energy company that owns a thermal energy system
19 that is under development but has not commenced operation as of July
20 1, 2025, is not subject to commission regulation if the thermal
21 energy company notifies the commission in writing of the company's
22 plans to operate the thermal energy system.

23 (5) The legislature finds that gas companies maintain their
24 priority for developing thermal energy network pilot projects as
25 provided in RCW 80.28.460.

26 **Sec. 3.** RCW 80.28.005 and 1994 c 268 s 1 are each amended to
27 read as follows:

28 Unless the context clearly requires otherwise, the definitions in
29 this section apply throughout this chapter.

30 (1) "Bondable conservation investment" means all expenditures
31 made by electrical, gas, or water companies with respect to energy or
32 water conservation measures and services intended to improve the
33 efficiency of electricity, gas, or water end use, including related
34 carrying costs if:

35 (a) The conservation measures and services do not produce assets
36 that would be bondable utility property under the general utility
37 mortgage of the electrical, gas, or water company;

38 (b) The commission has determined that the expenditures were
39 incurred in conformance with the terms and conditions of a

1 conservation service tariff in effect with the commission at the time
2 the costs were incurred, and at the time of such determination the
3 commission finds that the company has proven that the costs were
4 prudent, that the terms and conditions of the financing are
5 reasonable, and that financing under this chapter is more favorable
6 to the customer than other reasonably available alternatives;

7 (c) The commission has approved inclusion of the expenditures in
8 rate base and has not ordered that they be currently expensed; and

9 (d) The commission has not required that the measures demonstrate
10 that energy savings have persisted at a certain level for a certain
11 period before approving the cost of these investments as bondable
12 conservation investment.

13 (2) "Conservation bonds" means bonds, notes, certificates of
14 beneficial interests in trusts, or other evidences of indebtedness or
15 ownership that:

16 (a) The commission determines at or before the time of issuance
17 are issued to finance or refinance bondable conservation investment
18 by an electrical, gas or water company; and

19 (b) Rely partly or wholly for repayment on conservation
20 investment assets and revenues arising with respect thereto.

21 (3) "Conservation investment assets" means the statutory right of
22 an electrical, gas, or water company:

23 (a) To have included in rate base all of its bondable
24 conservation investment and related carrying costs; and

25 (b) To receive through rates revenues sufficient to recover the
26 bondable conservation investment and the costs of equity and debt
27 capital associated with it, including, without limitation, the
28 payment of principal, premium, if any, and interest on conservation
29 bonds.

30 (4) "Finance subsidiary" means any corporation, company,
31 association, joint stock association, or trust that is beneficially
32 owned, directly or indirectly, by an electrical, gas, or water
33 company, or in the case of a trust issuing conservation bonds
34 consisting of beneficial interests, for which an electrical, gas, or
35 water company or a subsidiary thereof is the grantor, or an
36 unaffiliated entity formed for the purpose of financing or
37 refinancing approved conservation investment, and that acquires
38 conservation investment assets directly or indirectly from such
39 company in a transaction approved by the commission.

40 (5) "Thermal energy" has the same definition as in RCW 80.04.010.

1 (6) "Thermal energy company" has the same definition as in RCW
2 80.04.010.

3 (7) "Thermal energy network" has the same definition as in RCW
4 80.04.010.

5 (8) "Thermal energy services" has the same definition as in RCW
6 80.04.010.

7 (9) "Thermal energy system" has the same definition as in RCW
8 80.04.010.

9 **Sec. 4.** RCW 80.28.010 and 2023 c 105 s 6 are each amended to
10 read as follows:

11 (1) All charges made, demanded or received by any gas company,
12 electrical company, wastewater company, ~~((or))~~ water company, or
13 thermal energy company for gas, electricity ~~((or))~~, water, or thermal
14 energy, or for any service rendered or to be rendered in connection
15 therewith, shall be just, fair, reasonable and sufficient. Reasonable
16 charges necessary to cover the cost of administering the collection
17 of voluntary donations for the purposes of supporting the development
18 and implementation of evergreen community management plans and
19 ordinances under RCW 80.28.300 must be deemed as prudent and
20 necessary for the operation of a utility.

21 (2) Every gas company, electrical company, wastewater company,
22 ~~((and))~~ water company, and thermal energy company shall furnish and
23 supply such service, instrumentalities and facilities as shall be
24 safe, adequate and efficient, and in all respects just and
25 reasonable.

26 (3) All rules and regulations issued by any gas company,
27 electrical company, wastewater company, ~~((or))~~ water company, or
28 thermal energy company, affecting or pertaining to the sale or
29 distribution of its product or service, must be just and reasonable.

30 (4) Utility service for residential space heating shall not be
31 terminated between November 15 through March 15 if the customer:

32 (a) Notifies the utility of the inability to pay the bill. This
33 notice should be provided within five business days of receiving a
34 payment overdue notice unless there are extenuating circumstances. If
35 the customer fails to notify the utility within five business days
36 and service is terminated, the customer can, by fulfilling the
37 requirements of this section, receive the protections of this
38 chapter;

1 (b) Provides self-certification of household income for the prior
2 twelve months to a grantee of the department of commerce, which
3 administers federally funded energy assistance programs. The grantee
4 shall determine that the household income does not exceed the maximum
5 allowed for eligibility under the state's plan for low-income energy
6 assistance under 42 U.S.C. 8624 and shall provide a dollar figure
7 that is seven percent of household income. The grantee may verify
8 information provided in the self-certification;

9 (c) Has applied for home heating assistance from applicable
10 government and private sector organizations and certifies that any
11 assistance received will be applied to the current bill and future
12 utility bills;

13 (d) Has applied for low-income weatherization assistance to the
14 utility or other appropriate agency if such assistance is available
15 for the dwelling;

16 (e) Agrees to a payment plan and agrees to maintain the payment
17 plan. The plan will be designed both to pay the past due bill by the
18 following October 15th and to pay for continued utility service. If
19 the past due bill is not paid by the following October 15, the
20 customer is not eligible for protections under this chapter until the
21 past due bill is paid. The plan may not require monthly payments in
22 excess of seven percent of the customer's monthly income plus one-
23 twelfth of any arrearage accrued from the date application is made
24 and thereafter during November 15 through March 15. A customer may
25 agree to pay a higher percentage during this period, but shall not be
26 in default unless payment during this period is less than seven
27 percent of monthly income plus one-twelfth of any arrearage accrued
28 from the date application is made and thereafter. If assistance
29 payments are received by the customer subsequent to implementation of
30 the plan, the customer shall contact the utility to reformulate the
31 plan; and

32 (f) Agrees to pay the moneys owed even if the customer moves.

33 (5) The utility shall:

34 (a) Include in any notice that an account is delinquent and that
35 service may be subject to termination, a description of the
36 customer's duties in this section;

37 (b) Assist the customer in fulfilling the requirements under this
38 section;

1 (c) Be authorized to transfer an account to a new residence when
2 a customer who has established a plan under this section moves from
3 one residence to another within the same utility service area;

4 (d) Be permitted to disconnect service if the customer fails to
5 honor the payment program except on the days indicated in subsection
6 (8) of this section. Utilities may continue to disconnect service for
7 those practices authorized by law other than for nonpayment as
8 provided for in this subsection. Customers who qualify for payment
9 plans under this section who default on their payment plans and are
10 disconnected can be reconnected and maintain the protections afforded
11 under this chapter by paying all amounts that would have been due and
12 owing under the terms of the applicable payment plan, absent default,
13 on the date on which service is reconnected; and

14 (e) Advise the customer in writing at the time it disconnects
15 service that it will restore service if the customer contacts the
16 utility and fulfills the other requirements of this section.

17 (6) A payment plan implemented under this section is consistent
18 with RCW 80.28.080.

19 (7) Every gas company (~~and~~), electrical company, and thermal
20 energy company shall offer residential customers the option of a
21 budget billing or equal payment plan. The budget billing or equal
22 payment plan shall be offered low-income customers eligible under the
23 state's plan for low-income energy assistance prepared in accordance
24 with 42 U.S.C. 8624(C)(1) without limiting availability to certain
25 months of the year, without regard to the length of time the customer
26 has occupied the premises, and without regard to whether the customer
27 is the tenant or owner of the premises occupied.

28 (8)(a) Every electrical company (~~and~~), water company, and
29 thermal energy company must have and must abide by the terms of a
30 tariff approved by the commission that prohibits the electrical
31 company (~~or~~), water company, or thermal energy company from
32 effecting, due to lack of payment, an involuntary termination of
33 electric (~~or~~), water, or thermal energy utility service to any
34 residential user, including tenants of metered apartment buildings
35 and residents of mobile homes, on any day for which the national
36 weather service has issued or has announced that it intends to issue
37 a heat-related alert, such as an excessive heat warning, a heat
38 advisory, an excessive heat watch, or a similar alert, for the area
39 in which the residential user's address is located.

1 (b) Nothing in this subsection (8) limits the authority of the
2 commission to prohibit an electrical company ~~((\oplus))~~, water company,
3 or thermal energy company from terminating electric ~~((\oplus))~~, water, or
4 thermal energy utility service in accordance with an approved tariff,
5 rule, or order, in circumstances independent of the weather.

6 (9)(a) A residential user at whose dwelling electric ~~((\oplus))~~,
7 water, or thermal energy utility service has been disconnected for
8 lack of payment may request that the utility reconnect service on any
9 day for which the national weather service has issued or has
10 announced that it intends to issue a heat-related alert, such as an
11 excessive heat warning, a heat advisory, an excessive heat watch, or
12 a similar alert, for the area in which the residential user's address
13 is located. The utility shall, through a process approved by the
14 commission, inform all customers in the notice of disconnection of
15 the ability to seek reconnection and provide clear and specific
16 information on how to make that request, including how to contact the
17 utility.

18 (b) Upon receipt of a request made pursuant to (a) of this
19 subsection, the utility shall promptly make a reasonable attempt to
20 reconnect service to the dwelling. The utility, in connection with a
21 request made pursuant to (a) of this subsection, may require the
22 residential user to enter into a payment plan prior to reconnecting
23 service to the dwelling. If the utility requires the residential user
24 to enter into a repayment plan, the repayment plan must comply with
25 subsection (10) of this section.

26 (10) A repayment plan required by a utility pursuant to
27 subsection (9)(b) of this section will be designed both to pay the
28 past due bill by the following May 15th, or as soon as possible after
29 May 15th if needed to maintain monthly payments that are no greater
30 than six percent of the customer's monthly income, and to pay for
31 continued utility service. The plan may not require monthly payments
32 in excess of six percent of the customer's monthly income. A customer
33 may agree to pay a higher percentage during this period, but will not
34 be in default unless payment during this period is less than six
35 percent of the customer's monthly income. If assistance payments are
36 received by the customer subsequent to implementation of the plan,
37 the customer shall contact the utility to reformulate the plan.

38 (11) Every gas company, electrical company, wastewater company,
39 ~~((and))~~ water company, and thermal energy company shall construct and
40 maintain such facilities in connection with the manufacture and

1 distribution of its product, or provision of its services, as will be
2 efficient and safe to its employees and the public.

3 (12) An agreement between the customer and the utility, whether
4 oral or written, does not waive the protections afforded under this
5 chapter.

6 (13) In establishing rates or charges for water service, water
7 companies as defined in RCW 80.04.010 may consider the achievement of
8 water conservation goals and the discouragement of wasteful water use
9 practices.

10 (14) On an annual basis, each utility must submit a report to the
11 commission that includes the total number of electric (~~(e)~~), water,
12 or thermal energy disconnections that occurred on each day for which
13 the national weather service issued, or announced that it intended to
14 issue, a heat-related alert.

15 **Sec. 5.** RCW 80.28.020 and 2011 c 214 s 12 are each amended to
16 read as follows:

17 Whenever the commission shall find, after a hearing had upon its
18 own motion, or upon complaint, that the rates or charges demanded,
19 exacted, charged or collected by any gas company, electrical company,
20 wastewater company, (~~(e)~~) water company, or thermal energy company,
21 for gas, electricity, wastewater company services, (~~(e)~~) water, or
22 thermal energy, or in connection therewith, or that the rules,
23 regulations, practices or contracts affecting such rates or charges
24 are unjust, unreasonable, unjustly discriminatory or unduly
25 preferential, or in any wise in violation of the provisions of the
26 law, or that such rates or charges are insufficient to yield a
27 reasonable compensation for the service rendered, the commission
28 shall determine the just, reasonable, or sufficient rates, charges,
29 regulations, practices or contracts to be thereafter observed and in
30 force, and shall fix the same by order.

31 **Sec. 6.** RCW 80.28.030 and 2021 c 65 s 96 are each amended to
32 read as follows:

33 (1) Whenever the commission finds, after such hearing, that the
34 illuminating or heating power, purity or pressure of gas, the
35 efficiency of electric lamp supply, the voltage of the current
36 supplied for light, heat or power, the quality of wastewater company
37 services, (~~(e)~~) the purity, quality, volume, and pressure of water,
38 or the quality or quantity of thermal energy, supplied by any gas

1 company, electrical company, wastewater company, ((~~or~~)) water
2 company, or thermal energy company, as the case may be, is
3 insufficient, impure, inadequate or inefficient, it shall order such
4 improvement in the manufacture, distribution or supply of gas, in the
5 manufacture, transmission or supply of electricity, in the operation
6 of the services and facilities of wastewater companies, or in the
7 storage, distribution or supply of water, or in the quality or
8 quantity of thermal energy, or in the methods employed by such gas
9 company, electrical company, wastewater company, ((~~or~~)) water
10 company, or thermal energy company, as will in its judgment be
11 efficient, adequate, just and reasonable. Failure of a water company
12 to comply with state board of health standards adopted under RCW
13 43.20.050(2)(a) or department standards adopted under chapter 70A.100
14 RCW for purity, volume, and pressure is prima facie evidence that the
15 water supplied is insufficient, impure, inadequate, or inefficient.
16 Failure of a wastewater company to comply with standards and permit
17 conditions adopted and implemented under chapter 70A.115 or 90.48 RCW
18 for treatment and disposal of sewerage, is prima facie evidence that
19 the system of sewerage is insufficient, inadequate, or inefficient.

20 (2) In ordering improvements in the storage, distribution, or
21 supply of water, the commission shall consult and coordinate with the
22 department of health. In the event that a water company fails to
23 comply with an order of the commission within the deadline specified
24 in the order, the commission may request that the department petition
25 the superior court of Thurston county to place the company in
26 receivership pursuant to chapter 7.60 RCW.

27 (3) In ordering improvements to the system of sewerage, the
28 commission shall consult and coordinate with the department of health
29 or the department of ecology, as appropriate to the agencies'
30 jurisdiction. In the event that a wastewater company fails to comply
31 with an order of the commission within the deadline specified in the
32 order, the commission may petition the superior court of Thurston
33 county to place the company in receivership pursuant to chapter 7.60
34 RCW.

35 **Sec. 7.** RCW 80.28.040 and 2011 c 214 s 14 are each amended to
36 read as follows:

37 (1) Whenever the commission finds, after hearing, that any rules,
38 regulations, measurements or the standard thereof, practices, acts or
39 services of any such gas company, electrical company, wastewater

1 company, (~~or~~) water company, or thermal energy company are unjust,
2 unreasonable, improper, insufficient, inefficient or inadequate, or
3 that any service which may be reasonably demanded is not furnished,
4 the commission shall fix the reasonable rules, regulations,
5 measurements or the standard thereof, practices, acts or service to
6 be thereafter furnished, imposed, observed and followed, and shall
7 fix the same by order or rule.

8 (2) In ordering improvements to the service of any water company,
9 the commission shall consult and coordinate with the department of
10 health. In the event that a water company fails to comply with an
11 order of the commission within the deadline specified in the order,
12 the commission may request that the department petition the superior
13 court of Thurston county to place the company in receivership
14 pursuant to chapter 7.60 RCW.

15 (3) In ordering improvements to the service of any system of
16 sewerage, the commission shall consult and coordinate with the
17 department of health or the department of ecology, as appropriate to
18 the agencies' jurisdiction. In the event that a wastewater company
19 fails to comply with an order of the commission within the deadline
20 specified in the order, the commission may petition the superior
21 court of Thurston county to place the company in receivership
22 pursuant to chapter 7.60 RCW.

23 **Sec. 8.** RCW 80.28.050 and 2011 c 214 s 15 are each amended to
24 read as follows:

25 Every gas company, electrical company, wastewater company,
26 (~~and~~) water company, and thermal energy company shall file with the
27 commission and shall print and keep open to public inspection
28 schedules in such form as the commission may prescribe, showing all
29 rates and charges made, established or enforced, or to be charged or
30 enforced, all forms of contract or agreement, all rules and
31 regulations relating to rates, charges or service, used or to be
32 used, and all general privileges and facilities granted or allowed by
33 such gas company, electrical company, wastewater company, (~~or~~)
34 water company, or thermal energy company.

35 **Sec. 9.** RCW 80.28.060 and 2011 c 214 s 16 are each amended to
36 read as follows:

37 (1) Unless the commission otherwise orders, no change may be made
38 in any rate or charge or in any form of contract or agreement or in

1 any rule or regulation relating to any rate, charge or service, or in
2 any general privilege or facility which shall have been filed and
3 published by a gas company, electrical company, wastewater company,
4 (~~(or)~~) water company, or thermal energy company in compliance with
5 the requirements of RCW 80.28.050 except after thirty days' notice to
6 the commission and publication for thirty days, which notice must
7 plainly state the changes proposed to be made in the schedule then in
8 force and the time when the change will go into effect and all
9 proposed changes must be shown by printing, filing and publishing new
10 schedules, or shall be plainly indicated upon the schedules in force
11 at the time and kept open to public inspection. Proposed changes may
12 be suspended by the commission within thirty days or before the
13 stated effective date of the proposed change, whichever is later. The
14 commission, for good cause shown, may allow changes without requiring
15 the thirty days' notice by duly filing, in such manner as it may
16 direct, an order specifying the changes so to be made and the time
17 when it takes effect. All such changes must be immediately indicated
18 upon its schedules by the company affected. When any change is made
19 in any rate or charge, form of contract or agreement, or any rule or
20 regulation relating to any rate or charge or service, or in any
21 general privilege or facility, the effect of which is to increase any
22 rate or charge, then in existence, attention must be directed on the
23 copy filed with the commission to such increase by some character
24 immediately preceding or following the item in such schedule, such
25 character to be in form as designated by the commission.

26 (2) During a state of emergency declared under RCW 43.06.010(12),
27 the governor may waive or suspend the operation or enforcement of
28 this section or any portion of this section or under any
29 administrative rule, and issue any orders to facilitate the operation
30 of state or local government or to promote and secure the safety and
31 protection of the civilian population.

32 **Sec. 10.** RCW 80.28.065 and 1993 c 245 s 2 are each amended to
33 read as follows:

34 (1) Upon request by an electrical (~~(or)~~), gas, or thermal energy
35 company, the commission may approve a tariff schedule that contains
36 rates or charges for energy conservation measures, services, or
37 payments provided to individual property owners or customers. The
38 tariff schedule shall require the electrical (~~(or)~~), gas, or thermal
39 energy company to enter into an agreement with the property owner or

1 customer receiving services at the time the conservation measures,
2 services, or payments are initially provided. The tariff schedule may
3 allow for the payment of the rates or charges over a period of time
4 and for the application of the payment obligation to successive
5 property owners or customers at the premises where the conservation
6 measures or services were installed or performed or with respect to
7 which the conservation payments were made.

8 (2) The electrical (~~(☹)~~), gas, or thermal energy company shall
9 record a notice of a payment obligation, containing a legal
10 description, resulting from an agreement under this section with the
11 county auditor or recording officer as provided in RCW 65.04.030.

12 (3) The commission may prescribe by rule other methods by which
13 an electrical (~~(☹)~~), gas, or thermal energy company shall notify
14 property owners or customers of any such payment obligation.

15 **Sec. 11.** RCW 80.28.068 and 2021 c 188 s 3 are each amended to
16 read as follows:

17 (1) Upon its own motion, or upon request by an electrical (~~(☹)~~),
18 gas, or thermal energy company, or other party to a general rate case
19 hearing, or other proceeding to set rates, the commission may approve
20 rates, charges, services, and/or physical facilities at a discount,
21 or through grants, for low-income senior customers and low-income
22 customers. Expenses and lost revenues as a result of these discounts,
23 grants, or other low-income assistance programs shall be included in
24 the company's cost of service and recovered in rates to other
25 customers. Each gas (~~(☹)~~), electrical, or thermal energy company
26 must propose a low-income assistance program comprised of a discount
27 rate for low-income senior customers and low-income customers as well
28 as grants and other low-income assistance programs. The commission
29 shall approve, disapprove, or approve with modifications each gas
30 (~~(☹)~~), electrical, or thermal energy company's low-income assistance
31 discount rate and grant program. The gas (~~(☹)~~), electrical, or
32 thermal energy company must use reasonable and good faith efforts to
33 seek approval for low-income program design, eligibility, operation,
34 outreach, and funding proposals from its low-income and equity
35 advisory groups in advance of filing such proposals with the
36 commission. In order to remove barriers and to expedite assistance,
37 low-income discounts or grants approved under this section must be
38 provided in coordination with community-based organizations in the
39 gas (~~(☹)~~), electrical, or thermal energy company's service territory

1 including, but not limited to, grantees of the department of
2 commerce, community action agencies, and community-based nonprofit
3 organizations. Nothing in this section may be construed as limiting
4 the commission's authority to approve or modify tariffs authorizing
5 low-income discounts or grants.

6 (2) Eligibility for a low-income discount rate or grant
7 established in this section may be established upon verification of a
8 low-income customer's receipt of any means-tested public benefit, or
9 verification of eligibility for the low-income home energy assistance
10 program, or its successor program, for which eligibility does not
11 exceed the low-income definition set by the commission pursuant to
12 RCW 19.405.020. The public benefits may include, but are not limited
13 to, assistance that provides cash, housing, food, or medical care
14 including, but not limited to, temporary assistance for needy
15 families, supplemental security income, emergency assistance to
16 elders, disabled, and children, supplemental nutrition assistance
17 program benefits, public housing, federally subsidized or state-
18 subsidized housing, the low-income home energy assistance program,
19 veterans' benefits, and similar benefits.

20 (3) Each gas (~~(gas)~~), electrical, or thermal energy company shall
21 conduct substantial outreach efforts to make the low-income discounts
22 or grants available to eligible customers and must provide annual
23 reports to the commission as to the gas (~~(gas)~~), electrical, or
24 thermal energy company's outreach activities and results. Such
25 outreach: (a) Shall be made at least semiannually to inform customers
26 of available rebates, discounts, credits, and other cost-saving
27 mechanisms that can help them lower their monthly bills for gas
28 (~~(gas)~~), electrical, or thermal energy service; and (b) may be in the
29 form of any customary and usual methods of communication or
30 distribution including, without limitation, widely broadcast
31 communications with customers, direct mailing, telephone calls,
32 electronic communications, social media postings, in-person contacts,
33 websites of the gas (~~(gas)~~), electrical, or thermal energy company,
34 press releases, and print and electronic media, that are designed to
35 increase access to and participation in bill assistance programs.

36 (4) Outreach may include establishing an automated program of
37 matching customer accounts with lists of recipients of the means-
38 tested public benefit programs and, based on the results of the
39 matching program, to presumptively offer a low-income discount rate
40 or grant to eligible customers so identified. However, the gas

1 ((~~or~~)), electrical, or thermal energy company must within 60 days of
2 the presumptive enrollment inform such a low-income customer of the
3 presumptive enrollment and all rights and obligations of a customer
4 under the program, including the right to withdraw from the program
5 without penalty.

6 (5) A residential customer eligible for a low-income discount
7 rate must receive the service on demand.

8 (6) A residential customer may not be charged for initiating or
9 terminating low-income discount rates, grants, or any other form of
10 energy assistance.

11 (7) The definitions in this subsection apply throughout this
12 section unless the context clearly requires otherwise.

13 (a) "Energy burden" has the same meaning as defined in
14 RCW 19.405.020.

15 (b) "Low-income" has the same meaning as defined in RCW
16 19.405.020.

17 (c) "Physical facilities" includes, but may not be limited to, a
18 community solar project as defined in RCW 80.28.370.

19 **Sec. 12.** RCW 80.28.070 and 1961 c 14 s 80.28.070 are each
20 amended to read as follows:

21 Nothing in this chapter shall be taken to prohibit a gas company,
22 electrical company ((~~or~~)), water company, or thermal energy company
23 from establishing a sliding scale of charges, whereby a greater
24 charge is made per unit for a lesser than a greater quantity for gas,
25 electricity ((~~or~~)), water, or thermal energy, or any service rendered
26 or to be rendered.

27 **Sec. 13.** RCW 80.28.075 and 1988 c 166 s 2 are each amended to
28 read as follows:

29 Upon request by a natural gas company ((~~or~~)), an electrical
30 company, or a thermal energy company, the commission may approve a
31 tariff that includes banded rates for any nonresidential natural gas
32 ((~~or~~)), electric, or thermal energy service that is subject to
33 effective competition from energy suppliers not regulated by the
34 utilities and transportation commission. "Banded rate" means a rate
35 that has a minimum and maximum rate. Rates may be changed within the
36 rate band upon such notice as the commission may order.

1 **Sec. 14.** RCW 80.28.080 and 2011 c 214 s 17 are each amended to
2 read as follows:

3 (1)(a) Except as provided otherwise in this subsection, no gas
4 company, electrical company, wastewater company, ~~((or))~~ water
5 company, or thermal energy company may charge, demand, collect or
6 receive a greater or less or different compensation for any service
7 rendered or to be rendered than the rates and charges applicable to
8 such service as specified in its schedule filed and in effect at the
9 time, nor may any such company directly or indirectly refund or remit
10 in any manner or by any device any portion of the rates or charges so
11 specified, or furnish its product at free or reduced rates except to
12 its employees and their families, and its officers, attorneys, and
13 agents; to hospitals, charitable and eleemosynary institutions and
14 persons engaged in charitable and eleemosynary work; to indigent and
15 destitute persons; to national homes or state homes for disabled
16 volunteer soldiers and soldiers' and sailors' homes.

17 For the purposes of this subsection (1):

18 (i) "Employees" includes furloughed, pensioned and superannuated
19 employees, persons who have become disabled or infirm in the service
20 of any such company; and

21 (ii) "Families" includes the families of those persons named in
22 this proviso, the families of persons killed or dying in the service,
23 also the families of persons killed, and the surviving spouse prior
24 to remarriage, and the minor children during minority of persons who
25 died while in the service of any of the companies named in this
26 subsection (1).

27 (b) Water companies may furnish free or at reduced rates water
28 for the use of the state, or for any project in which the state is
29 interested.

30 (c) Gas companies, electrical companies, wastewater companies,
31 ~~((and))~~ water companies, and thermal energy companies may charge the
32 defendant for treble damages awarded in lawsuits successfully
33 litigated under RCW 80.28.240.

34 (2) No gas company, electrical company, wastewater company,
35 ~~((or))~~ water company, or thermal energy company may extend to any
36 person or corporation any form of contract or agreement or any rule
37 or regulation or any privilege or facility except such as are
38 regularly and uniformly extended to all persons and corporations
39 under like circumstances.

1 **Sec. 15.** RCW 80.28.090 and 2011 c 214 s 18 are each amended to
2 read as follows:

3 No gas company, electrical company, wastewater company, ~~((or))~~
4 water company, or thermal energy company may make or grant any undue
5 or unreasonable preference or advantage to any person, corporation,
6 or locality, or to any particular description of service in any
7 respect whatsoever, or subject any particular person, corporation or
8 locality or any particular description of service to any undue or
9 unreasonable prejudice or disadvantage in any respect whatsoever.

10 **Sec. 16.** RCW 80.28.100 and 2011 c 214 s 19 are each amended to
11 read as follows:

12 No gas company, electrical company, wastewater company, ~~((or))~~
13 water company, or thermal energy company may, directly or indirectly,
14 or by any special rate, rebate, drawback or other device or method,
15 charge, demand, collect or receive from any person or corporation a
16 greater or less compensation for gas, electricity, wastewater company
17 services, ~~((or))~~ water, or thermal energy, or for any service
18 rendered or to be rendered, or in connection therewith, except as
19 authorized in this chapter, than it charges, demands, collects or
20 receives from any other person or corporation for doing a like or
21 contemporaneous service with respect thereto under the same or
22 substantially similar circumstances or conditions. If the commission
23 finds any instance of a thermal energy resource provider injecting
24 thermal energy into a thermal energy system that exceeds system needs
25 and creates system imbalance, the commission may issue rules to
26 address such an issue to ensure ratepayers are not charged for energy
27 that does not provide a benefit.

28 **Sec. 17.** RCW 80.28.120 and 2011 c 214 s 21 are each amended to
29 read as follows:

30 Every gas, water, wastewater, ~~((or))~~ electrical, or thermal
31 energy company owning, operating or managing a plant or system for
32 the distribution and sale of gas, water ~~((or)),~~ electricity, or
33 thermal energy, or the provision of wastewater company services to
34 the public for hire is, and is held to be, a public service company
35 as to such plant or system and as to all gas, water, wastewater
36 company services, ~~((or))~~ electricity, or thermal energy distributed
37 or furnished therefrom, whether such gas, water, wastewater company
38 services, ~~((or))~~ electricity, or thermal energy be sold wholesale or

1 retail or be distributed wholly to the general public or in part as
2 surplus gas, water, wastewater company services, ~~((~~or~~))~~ electricity,
3 or thermal energy to manufacturing or industrial concerns or to other
4 public service companies or municipalities for redistribution.
5 Nothing in this title may be construed to prevent any gas company,
6 electrical company ~~((~~or~~))~~, water company, or thermal energy company
7 from continuing to furnish its product or the use of its lines,
8 equipment or service under any contract or contracts in force on June
9 7, 1911, at the rates fixed in such contract or contracts. However,
10 the commission has power, in its discretion, to direct by order that
11 such contract or contracts be terminated by the company party thereto
12 and thereupon such contract or contracts must be terminated by such
13 company as and when directed by such order.

14 **Sec. 18.** RCW 80.28.130 and 2024 c 351 s 15 are each amended to
15 read as follows:

16 Whenever the commission finds, after hearing had upon its own
17 motion or upon complaint, that repairs or improvements, to, or
18 changes in, any gas plant, electrical plant, system of sewerage,
19 ~~((~~or~~))~~ water system, or thermal energy system ought to be made, or
20 that any additions or extensions should reasonably be made thereto,
21 in order to promote the security or convenience of the public or
22 employees, or in order to secure adequate service or facilities for
23 manufacturing, distributing or supplying gas, electricity, wastewater
24 company services, ~~((~~or~~))~~ water, or thermal energy, the commission may
25 enter an order directing that such reasonable repairs, improvements,
26 changes, additions or extensions of such gas plant, electrical plant,
27 system of sewerage, ~~((~~or~~))~~ water system, or thermal energy system be
28 made. The commission may require a large combination utility as
29 defined in RCW 80.86.010 to incorporate any existing pipeline safety
30 and replacement plans under this section into an integrated system
31 plan established under RCW 80.86.020.

32 NEW SECTION. **Sec. 19.** A new section is added to chapter 80.28
33 RCW to read as follows:

34 The commission may appoint inspectors of thermal energy meters
35 who shall, when required by the commission, inspect, examine, prove,
36 and ascertain the accuracy of any and all thermal energy meters used
37 or intended to be used for measuring and ascertaining the quantity of
38 thermal energy, and inspect, examine, and ascertain the accuracy of

1 all apparatus for testing and proving the accuracy of thermal energy
2 meters, and when found to be or made to be correct, stamp or mark all
3 such meters and apparatus with some suitable device to be prescribed
4 by the commission. No thermal energy company may furnish, set, or put
5 in use any thermal energy meters which have not been approved by the
6 commission.

7 **Sec. 20.** RCW 80.28.160 and 1961 c 14 s 80.28.160 are each
8 amended to read as follows:

9 Every gas company, electrical company (~~and~~), water company, and
10 thermal energy company shall prepare and maintain such suitable
11 premises, apparatus and facilities as may be required and approved by
12 the commission for testing and proving the accuracy of gas, electric
13 (~~or~~), water, or thermal energy meters furnished for use by it by
14 which apparatus every meter may be tested.

15 **Sec. 21.** RCW 80.28.170 and 1961 c 14 s 80.28.170 are each
16 amended to read as follows:

17 If any consumer to whom a meter has been furnished shall request
18 the commission in writing to inspect such meter, the commission shall
19 have the same inspected and tested, and if the same, on being so
20 tested, shall be found to be more than four percent if an electric
21 meter, (~~or~~) more than two percent if a gas meter, (~~or~~) more than
22 two percent if a water meter, or more than two percent if a thermal
23 energy meter, defective or incorrect to the prejudice of the
24 consumer, the expense of such inspection and test shall be borne by
25 the gas company, electrical company (~~or~~), water company, or thermal
26 energy company, and if the same, on being so tested shall be found to
27 be correct within the limits of error prescribed by the provisions of
28 this section, the expense of such inspection and test shall be borne
29 by the consumer.

30 **Sec. 22.** RCW 80.28.240 and 2011 c 214 s 24 are each amended to
31 read as follows:

32 (1) A utility may bring a civil action for damages against any
33 person who commits, authorizes, solicits, aids, abets, or attempts
34 to:

35 (a) Divert, or cause to be diverted, utility services by any
36 means whatsoever;

1 (b) Make, or cause to be made, any connection or reconnection
2 with property owned or used by the utility to provide utility service
3 without the authorization or consent of the utility;

4 (c) Prevent any utility meter or other device used in determining
5 the charge for utility services from accurately performing its
6 measuring function by tampering or by any other means;

7 (d) Tamper with any property owned or used by the utility to
8 provide utility services; or

9 (e) Use or receive the direct benefit of all or a portion of the
10 utility service with knowledge of, or reason to believe that, the
11 diversion, tampering, or unauthorized connection existed at the time
12 of the use or that the use or receipt was without the authorization
13 or consent of the utility.

14 (2) In any civil action brought under this section, the utility
15 may recover from the defendant as damages three times the amount of
16 actual damages, if any, plus the cost of the suit and reasonable
17 attorney's fees, plus the costs incurred on account of the bypassing,
18 tampering, or unauthorized reconnection, including but not limited to
19 costs and expenses for investigation, disconnection, reconnection,
20 service calls, and expert witnesses.

21 (3) Any damages recovered under this section in excess of the
22 actual damages sustained by the utility may be taken into account by
23 the utilities and transportation commission or other applicable rate-
24 making agency in establishing utility rates.

25 (4) As used in this section:

26 (a) "Customer" means the person in whose name a utility service
27 is provided;

28 (b) "Divert" means to change the intended course or path of
29 electricity, gas, ~~((or))~~ water, or thermal energy without the
30 authorization or consent of the utility;

31 (c) "Person" means any individual, partnership, firm,
32 association, or corporation or government agency;

33 (d) "Reconnection" means the commencement of utility service to a
34 customer or other person after service has been lawfully disconnected
35 by the utility;

36 (e) "Tamper" means to rearrange, injure, alter, interfere with,
37 or otherwise prevent from performing the normal or customary
38 function;

39 (f) "Utility" means any electrical company, gas company,
40 wastewater company, ~~((or))~~ water company, or thermal energy company,

1 as those terms are defined in RCW 80.04.010, and includes any
2 electrical, gas, system of sewerage, ~~((~~☞~~))~~ water system, or thermal
3 energy system operated by any public agency; and

4 (g) "Utility service" means the provision of electricity, gas,
5 water, wastewater company services, thermal energy, or any other
6 service or commodity furnished by the utility for compensation.

7 **Sec. 23.** RCW 80.28.430 and 2021 c 188 s 4 are each amended to
8 read as follows:

9 (1) A gas company ~~((~~☞~~))~~, electrical company, or thermal energy
10 company shall, upon request, enter into one or more written
11 agreements with organizations that represent broad customer interests
12 in regulatory proceedings conducted by the commission, subject to
13 commission approval in accordance with subsection (2) of this
14 section, including but not limited to organizations representing low-
15 income, commercial, and industrial customers, vulnerable populations,
16 or highly impacted communities. The agreement must govern the manner
17 in which financial assistance may be provided to the organization.
18 More than one gas company, electrical company, thermal energy
19 company, or organization representing customer interests may join in
20 a single agreement. Any agreement entered into under this section
21 must be approved, approved with modifications, or rejected by the
22 commission. The commission must consider whether the agreement is
23 consistent with a reasonable allocation of financial assistance
24 provided to organizations pursuant to this section among classes of
25 customers of the gas or electrical company.

26 (2) Before administering an agreement entered into under
27 subsection (1) of this section, the commission shall, by rule or
28 order, determine:

29 (a) The amount of financial assistance, if any, that may be
30 provided to any organization;

31 (b) The manner in which the financial assistance is distributed;

32 (c) The manner in which the financial assistance is recovered in
33 the rates of the gas company ~~((~~☞~~))~~, electrical company, or thermal
34 energy company under subsection (3) of this section; and

35 (d) Other matters necessary to administer the agreement.

36 (3) The commission shall allow a gas company ~~((~~☞~~))~~, electrical
37 company, or thermal energy company that provides financial assistance
38 under this section to recover the amounts provided in rates. The
39 commission shall allow a gas company ~~((~~☞~~))~~, electrical company, or

1 thermal energy company to defer inclusion of those amounts in rates
2 if the gas company ((~~or~~)), electrical company, or thermal energy
3 company so elects. An agreement under this section may not provide
4 for payment of any amounts to the commission.

5 (4) Organizations representing vulnerable populations or highly
6 impacted communities must be prioritized for funding under this
7 section.

8 NEW SECTION. Sec. 24. A new section is added to chapter 80.28
9 RCW to read as follows:

10 (1) Upon its own motion, or upon request by an electrical company
11 or a thermal energy company, or other party to a general rate case
12 hearing, or other proceeding to set rates, the commission may
13 authorize an electrical company to provide discounted rates to a
14 company operating a thermal energy network in the electrical
15 company's service area.

16 (2) The commission may authorize an electrical company to provide
17 such discounted rates if the thermal energy network operates in a way
18 that allows the electrical company to deliver electricity more
19 efficiently than an electrical company's standard electric service,
20 including if the thermal energy network shifts load off of peak
21 demand.

22 (3) If the commission approves discounted rates as described in
23 this section, the commission must consider the benefits of reduced
24 input costs to operate thermal energy networks in future proceedings
25 to set rates for thermal energy networks.

26 NEW SECTION. Sec. 25. A new section is added to chapter 80.04
27 RCW to read as follows:

28 The commission must follow the national and international
29 development of interoperability standards for thermal energy networks
30 and report to the appropriate committees of the legislature by
31 December 1, 2027, on the maturity and readiness for adoption of these
32 standards.

33 NEW SECTION. Sec. 26. If specific funding for the purposes of
34 this act, referencing this act by bill or chapter number, is not
35 provided by June 30, 2025, in the omnibus appropriations act, this
36 act is null and void."

2SHB 1514 - S COMM AMD

By Committee on Environment, Energy & Technology

ADOPTED 04/15/2025

1 On page 1, line 2 of the title, after "networks;" strike the
2 remainder of the title and insert "amending RCW 80.04.010, 80.04.550,
3 80.28.005, 80.28.010, 80.28.020, 80.28.030, 80.28.040, 80.28.050,
4 80.28.060, 80.28.065, 80.28.068, 80.28.070, 80.28.075, 80.28.080,
5 80.28.090, 80.28.100, 80.28.120, 80.28.130, 80.28.160, 80.28.170,
6 80.28.240, and 80.28.430; adding new sections to chapter 80.28 RCW;
7 adding a new section to chapter 80.04 RCW; and creating a new
8 section."

EFFECT: Clarifies that no thermal energy company, rather than no public service company, may furnish, set, or put in use any thermal energy meters that have not been approved by the Utilities and Transportation Commission. Clarifies that the definition of utility includes both thermal energy companies and thermal energy systems operated by any public agency.

--- END ---