
ENGROSSED SUBSTITUTE HOUSE BILL 1522

State of Washington 69th Legislature 2025 Regular Session

By House Environment & Energy (originally sponsored by
Representatives Dent, Reeves, Springer, and Hill)

READ FIRST TIME 02/10/25.

1 AN ACT Relating to approval of electric utility wildfire
2 mitigation plans; amending RCW 80.24.010; adding a new section to
3 chapter 80.28 RCW; creating a new section; and repealing RCW
4 80.28.440.

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

6 NEW SECTION. **Sec. 1.** It is the intent of the legislature to
7 provide for the safe, efficient, and reliable transmission and
8 distribution of electric power at affordable rates. Preparation for
9 and response to wildfire risk is an increasingly important element of
10 planning conducted by electric utilities. Proper preparation is
11 crucial to position electric utilities to respond to wildfire risk.
12 It is essential to make sure these risks are addressed, as needed,
13 but also within appropriate cost parameters to keep electric power
14 affordable to the public. This legislation is designed to direct the
15 prudent use of resources by electric utilities to mitigate and
16 respond to wildfire risk within costs that can be justified as fair,
17 just, and reasonable in order to balance wildfire risk with
18 affordable electric rates. This act relates to planning only and
19 shall not be construed to create or alter any cause of action or
20 alter the burden of proof in any cause of action.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 80.28

2 RCW to read as follows:

3 (1) (a) Each electrical company must file a wildfire mitigation
4 plan with the commission as soon as practicable after the effective
5 date of this section, unless the company has previously filed a
6 wildfire mitigation plan with the commission prior to the effective
7 date of this section. An electrical company that has previously filed
8 a wildfire plan with the commission must file a plan update as soon
9 as practicable after the effective date of this section. To the
10 extent practicable, a company should try to align the timing of
11 filing a plan and plan updates with the filing of a multiyear rate
12 plan under RCW 80.28.425. The company shall update a plan no less
13 frequently than every three years. The company shall provide a copy
14 of its wildfire mitigation plan and updates to the department of
15 natural resources and the utility wildland fire prevention advisory
16 committee created in RCW 76.04.780 in the format prescribed under RCW
17 76.04.185 to be posted on the committee's website.

18 (b) Nothing in this subsection prohibits an electrical company
19 from updating its wildfire mitigation plan more often than required
20 under subsection (1) (a) of this section.

21 (2) The commission, after holding at least one public workshop
22 and a hearing, must by order approve, reject, or approve with
23 conditions, an electrical company's wildfire mitigation plan within
24 120 days or plan update within 90 days of the filing of such plan or
25 plan update. The commission may, in its order, recommend or require
26 additional elements or practices to be included in the company's
27 plan. The commission may, in approving with conditions the plan or
28 plan update, make modifications to the plan or plan update that the
29 commission reasonably finds represent a reasonable balancing of
30 mitigation costs with the resulting reduction of wildfire risk. The
31 commission shall issue an order explaining any modifications at the
32 time the plan or plan update is approved. In evaluating a plan or
33 plan update, the commission may consult with and consider information
34 from federal, tribal, state, or local governmental entities,
35 utilities, industry organizations, and groups representing utility
36 customers. The commission shall describe the nature of its
37 consultations with third parties in its order approving or approving
38 with conditions a plan or plan update.

39 (3) The commission must adopt rules to implement this section.
40 The rules must:

1 (a) Provide that a workshop be held pursuant to subsection (2) of
2 this section that will involve local fire protection districts,
3 utilities, affected landowners, and groups representing utility
4 customers; and

5 (b) Include, but need not be limited to, procedures and standards
6 regarding vegetation management, including guidelines for determining
7 fair market landowner compensation when appropriate, public safety
8 power shutoffs and service restoration, pole materials, circuitry,
9 and monitoring systems.

10 (4) The commission is not liable for an electrical company's
11 implementation of its wildfire mitigation plan. There is no liability
12 on the part of, and no cause of action of any nature may arise
13 against, the state, commission, commissioners, commission staff, or
14 commission representatives, agents, or consultants for the death of
15 or injury to persons, or property damage, for any action taken by
16 them in the performance of their powers and duties exercised under
17 this section.

18 **Sec. 3.** RCW 80.24.010 and 2024 c 351 s 13 are each amended to
19 read as follows:

20 (1) Every public service company subject to regulation by the
21 commission shall, on or before the date specified by the commission
22 for filing annual reports under RCW 80.04.080, file with the
23 commission a statement on oath showing its gross operating revenue
24 from intrastate operations for the preceding calendar year or portion
25 thereof and pay to the commission a fee equal to one-tenth of one
26 percent of the first \$50,000 of gross operating revenue, plus four-
27 tenths of one percent of any gross operating revenue in excess of
28 \$50,000, except that a large combination utility as defined in RCW
29 80.86.010 shall pay a fee equal to (~~(0.001)~~) 0.1 percent of the first
30 \$50,000 of gross operating revenue, plus (~~(0.005)~~) 0.5 percent of any
31 gross operating revenue in excess of \$50,000: PROVIDED, That the
32 commission may, by rule, set minimum fees that do not exceed the cost
33 of collecting the fees. The commission may by rule waive any or all
34 of the minimum fee established pursuant to this (~~section~~)
35 subsection (1).

36 (2) The percentage rates of gross operating revenue to be paid in
37 any year may be decreased by the commission for any class of
38 companies subject to the payment of such fees, by general order
39 entered before March 1st of such year, and for such purpose such

1 companies shall be classified as follows: Electrical, gas, water,
2 telecommunications, and irrigation companies shall constitute class
3 one. Every other company subject to regulation by the commission, for
4 which regulatory fees are not otherwise fixed by law shall pay fees
5 as herein provided and shall constitute additional classes according
6 to kinds of businesses engaged in.

7 (3) The commission shall collect a reasonable fee from an
8 electrical company in addition to the fee in subsection (1) of this
9 section for the purposes of section 2 of this act.

10 (4) Any payment of the fee imposed by subsection (1) of this
11 section made after its due date shall include a late fee of two
12 percent of the amount due. Delinquent fees shall accrue interest at
13 the rate of one percent per month.

14 NEW SECTION. Sec. 4. RCW 80.28.440 (Wildfire mitigation plan—
15 Review/revision) and 2023 c 132 s 3 are each repealed.

16 NEW SECTION. Sec. 5. If any provision of this act or its
17 application to any person or circumstance is held invalid, the
18 remainder of the act or the application of the provision to other
19 persons or circumstances is not affected.

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