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**SUBSTITUTE HOUSE BILL 1522**

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**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.

19 NEW SECTION. **Sec. 2.** A new section is added to chapter 80.28  
20 RCW to read as follows:

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

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

19           (2) The commission must approve, reject, or approve with  
20 conditions, after holding at least one public workshop and a public  
21 meeting, an electrical company's wildfire mitigation plan within 120  
22 days or plan update within 90 days of the filing of such plan or plan  
23 update. The commission shall issue an order approving or approving  
24 with conditions the plan or plan update if the commission finds that  
25 the plan or plan update is based on reasonable and prudent practices  
26 and is designed to meet all applicable standards adopted or  
27 established by rule or order of the commission, as well as other  
28 applicable laws and regulations. The commission may, in approving  
29 with conditions the plan or plan update, make modifications to the  
30 plan or plan update that the commission reasonably finds represent a  
31 reasonable balancing of mitigation costs with the resulting reduction  
32 of wildfire risk. The commission shall issue an order explaining any  
33 modifications at the time the plan or plan update is approved. In  
34 evaluating a plan or plan update, the commission may consult with and  
35 consider information from federal, tribal, state, or local  
36 governmental entities, utilities, industry organizations, and groups  
37 representing utility customers. The commission shall describe the  
38 nature of its consultations with third parties in its order approving  
39 or approving with conditions a plan or plan update.

1 (3) The commission must adopt rules to implement this section.  
2 The rules must:

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

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

12 (c) Set forth guidelines for how an electrical company will  
13 conduct a cost-benefit analysis, for specific elements of its  
14 proposed wildfire mitigation plan.

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

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

25 (1) Every public service company subject to regulation by the  
26 commission shall, on or before the date specified by the commission  
27 for filing annual reports under RCW 80.04.080, file with the  
28 commission a statement on oath showing its gross operating revenue  
29 from intrastate operations for the preceding calendar year or portion  
30 thereof and pay to the commission a fee equal to one-tenth of one  
31 percent of the first \$50,000 of gross operating revenue, plus four-  
32 tenths of one percent of any gross operating revenue in excess of  
33 \$50,000, except that a large combination utility as defined in RCW  
34 80.86.010 shall pay a fee equal to (~~(0.004)~~) 0.1 percent of the first  
35 \$50,000 of gross operating revenue, plus (~~(0.005)~~) 0.5 percent of any  
36 gross operating revenue in excess of \$50,000: PROVIDED, That the  
37 commission may, by rule, set minimum fees that do not exceed the cost  
38 of collecting the fees. The commission may by rule waive any or all

1 of the minimum fee established pursuant to this ((section))  
2 subsection (1).

3 (2) The percentage rates of gross operating revenue to be paid in  
4 any year may be decreased by the commission for any class of  
5 companies subject to the payment of such fees, by general order  
6 entered before March 1st of such year, and for such purpose such  
7 companies shall be classified as follows: Electrical, gas, water,  
8 telecommunications, and irrigation companies shall constitute class  
9 one. Every other company subject to regulation by the commission, for  
10 which regulatory fees are not otherwise fixed by law shall pay fees  
11 as herein provided and shall constitute additional classes according  
12 to kinds of businesses engaged in.

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

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

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

22 NEW SECTION. Sec. 5. 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.

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