

**RCW 80.28.440 Wildfire mitigation plan—Review/revision.** (1) By October 31, 2024, and every three years thereafter, each investor-owned utility must review and, if appropriate, revise its wildfire mitigation plan. When reviewing or revising a wildfire mitigation plan, an investor-owned utility must use the recommended format and elements pursuant to RCW 76.04.185.

(a) Local fire protection districts must be provided the opportunity to provide input for each wildfire mitigation plan. Each investor-owned utility must submit its wildfire mitigation plan to the utilities and transportation commission for review, and the commission will confirm whether or not the plan contains the recommended elements. Each investor-owned utility must provide a copy of their wildfire mitigation plan to the department of natural resources, along with a list and description of wildland fires involving utility equipment over the previous two years as reported by the department of natural resources. The wildfire mitigation plan must be submitted to the utility wildland fire prevention advisory committee created in RCW 76.04.780 to be posted on their website as specified in RCW 76.04.780.

(b) The utilities and transportation commission is not liable for an investor-owned utility's implementation of its wildfire mitigation plan. An investor-owned utility may pursue recovery of costs and investments associated with a wildfire mitigation plan through a proceeding to set rates at the commission.

(c) Investor-owned utilities are encouraged to submit any 2023 wildfire mitigation plans to the utility wildland fire prevention advisory committee created in RCW 76.04.780 prior to the revision date required in this subsection.

(2) Nothing in this section prohibits an investor-owned utility from reviewing or updating its wildfire mitigation plan more often than required in subsection (1) of this section.

(3) For the purposes of this section, the term "investor-owned utility" means a corporation owned by investors that meets the definition of "corporation" as defined in RCW 80.04.010 and is engaged in distributing electricity to more than one retail electric customer in the state. [2023 c 132 § 3.]

**Findings—Intent—2023 c 132:** See note following RCW 76.04.185.