

WAC 480-100-665 Enforcement. (1) **General.** The commission may take enforcement action in response to a utility's failure to comply with the provisions of chapter 19.405 RCW, this chapter of the commission's rules, or a commission order implementing those requirements.

(2) **Procedure.** The commission may take enforcement action in the following types of proceedings:

(a) **Complaint.** The commission may bring a complaint against the utility pursuant to RCW 80.04.380 and WAC 480-07-300, et seq.

(b) **Penalty assessment.** The commission may assess penalties as provided in RCW 80.04.405 and WAC 480-07-915.

(c) **Other.** The commission may take enforcement action in any proceeding in which the utility's compliance with the provisions of chapter 19.405 RCW, this chapter of the commission's rules, or a commission order implementing those requirements is at issue including, but not limited to, the utility's general rate case.

(3) **Remedies.** The commission may impose any one or a combination of the following remedies for a utility's failure to comply with the provisions of chapter 19.405 RCW, this chapter of the commission's rules, or a commission order implementing those requirements.

(a) **RCW 19.405.090.** For all violations subject to the compliance, enforcement, and penalty provisions of RCW 19.405.090, the commission may require the utility to pay an administrative penalty of \$100 multiplied by the applicable megawatt-hour of electric generation used to meet load that is not electricity from a renewable resource or non-emitting electric generation.

(b) For violations of rule or order not subject to RCW 19.405.090, the commission may pursue the following remedies:

(i) **RCW 80.04.380.** The commission may assess penalties of up to \$1,000 for each violation. Violation of the same requirement in statute, rule, or commission order are separate and distinct violations, and each day the utility is not in compliance with these requirements is a separate and distinct violation.

(ii) **RCW 80.04.405.** The commission may assess penalties of \$100 for each violation. Violation of the same requirement in statute, rule, or commission order are separate and distinct violations, and each day the utility is not in compliance with these requirements is a separate and distinct violation.

(c) **Specific performance.** The commission may order a utility to take specific actions necessary to comply with chapter 19.405 RCW, this chapter of the commission's rules, and commission orders implementing those requirements.

(d) **Customer notification.** If the commission finds a utility in violation of chapter 19.405 RCW, this chapter of the commission's rules, or commission orders implementing those requirements, the commission may order the utility to notify its retail electric customers of the violation in a published form.

(4) **Mitigation.** A utility may request mitigation of, and the commission may mitigate, any administrative penalty as described in RCW 19.405.090(3) or penalty assessment as provided in WAC 480-07-915. Any mitigation the commission grants does not relieve the utility of its obligation to comply with applicable legal requirements or to take specific actions the commission orders.

[Statutory Authority: RCW 80.01.040, 80.04.160, 19.285.080, and 19.405.100. WSR 22-14-055 (Docket UE-210183, General Order R-604), § 480-100-665, filed 6/29/22, effective 7/1/22. Statutory Authority: RCW 80.01.040, 80.04.160, and chapters 80.28, 19.280, and 19.405 RCW. WSR

21-02-022 (Dockets UE-191023 and UE-190698, General Order 601), §
480-100-665, filed 12/28/20, effective 12/31/20.]