

WSR 21-02-025
EMERGENCY RULES
UTILITIES AND TRANSPORTATION
COMMISSION

[Filed December 28, 2020, 1:42 p.m., effective December 31, 2020]

Effective Date of Rule: December 31, 2020.

Purpose: To repeal WAC 480-100-238 because it is being superseded by new rules adopted under WSR 21-02-022, which will be effective January 1, 2021.

Citation of Rules Affected by this Order: Repealing WAC 480-100-238.

Statutory Authority for Adoption: RCW 80.01.040, 80.04.160; chapters 80.28, 19.280, and 19.405 RCW.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The repeal of WAC 480-100-238 was fully contemplated during the rule-making process which culminated in WSR 21-02-022, and the repeal was left out only inadvertently. Should the new rules (WAC 480-100-600 through 480-100-665) adopted under WSR 21-02-022 go into effect while WAC 480-100-238 is also still in effect, it will create duplicative and conflicting standards for utilities. Because the new section was adopted to replace and expand upon WAC 480-100-238, repealing WAC 480-100-238 simultaneously with the effective date of the new rules will allow a seamless transition into the new regulatory requirements and fulfill the expected outcome of the rule-making process carried out in Commission Dockets UE-191023 and UE-190698 to implement the Clean Energy Transformation Act as it relates to integrated resource planning. This emergency rule making will be followed by an expedited rule making to permanently repeal WAC 480-100-238.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 1.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 1.

Date Adopted: December 28, 2020.

Mark L. Johnson
Executive Director
and Secretary

OTS-2803.1

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 480-100-238 Integrated resource planning.