



## Washington State Senate

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Washington Utilities and Transportation Commission  
1300 S. Evergreen Pk. Dr. SW  
Olympia, WA 98504

Re: "Energy regulators want closer look at utilities' coal plant costs" (news release, 5/7/2018)

Dear Chairman Danner and Commissioners,

I am deeply disappointed with the Commission's recent decisions directing utilities to inflate the price of electricity that will be delivered to Washington customers. I believe your decisions in the integrated resource planning process exceed the scope of the Commission's authority and cast doubt on your credibility as a neutral and nonpolitical regulator. As I have stated in previous correspondence with the Commission, the Commission should not use the IRP process to pressure any utility to abandon particular facilities or sources of energy generation.

The Commission's recent directives are based on the regulatory landscape and the risks it might create for utilities and their customers, but the Commission's analysis is flawed. For example, the Commission overlooked or mischaracterized the following events, among others:

- EO 13783 dissolved the Interagency Working Group on Social Cost of Greenhouse Gases
- EPA considers the Clean Power Plan to be illegal and is repealing it
- The Department of Ecology's Clean Air Rule has been held in court to be illegal
- The trial court's opinion in *Zoe Foster v. Department of Ecology* was reversed on appeal
- I-732 failed on the ballot by a margin of 41-59 percent
- The legislature has consistently rejected new energy taxes in recent sessions

Furthermore, the Commission's reliance on EO 14-04 as authority for adopting the Interagency Working Group's analysis is indefensible because EO 14-04 was rescinded on January 16, 2018 - a fact the Commission fails to acknowledge.

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I appreciate the separate statements from Commissioner Balasbas recognizing that the 65th Legislature rejected the Commission's approach when it chose not to adopt legislation that would have established a greenhouse gas planning "adder." I agree and believe that the Commission is taking actions that stray from the authority delegated to it by the legislature.

I look forward to the Commission's response and request that it is accompanied by a plan for correcting the Commission's erroneous directives in the recent IRP process.

Sincerely,

A handwritten signature in blue ink that reads "Doug Ericksen". The signature is written in a cursive style with a large, looped initial "D".

Senator Doug Ericksen, Ranking Member  
Senate Energy, Environment and Technology Committee