



# PROPOSED RULE MAKING

## CR-102 (June 2004)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Department of Revenue

- Preproposal Statement of Inquiry was filed as WSR 06-09-099 ; or
- Expedited Rule Making--Proposed notice was filed as WSR ; or
- Proposal is exempt under RCW 34.05.310(4).

- Original Notice
- Supplemental Notice to WSR
- Continuance of WSR

Title of rule and other identifying information: WAC 458-20-273 Renewable Energy Cost Recovery.

### Hearing location(s):

Capitol Plaza Building  
4<sup>th</sup> Floor L&P Conference Room  
1025 Union Avenue SE  
Olympia, Washington 98504

Date: July 27, 2006 Time: 9:30 AM

Date of intended adoption: July 31, 2006  
(Note: This is NOT the effective date)

### Submit written comments to:

Name: Mark E. Bohe  
Address: Post Office Box 47453  
Olympia, Washington  
98504-7453  
e-mail markbohe@dor.wa.gov  
fax (360) 570-5543  
By July 27, 2006

**Assistance for persons with disabilities:** Contact Sandy Davis at (360) 725-7499 no later than 10 days before the hearing date. Deaf and hard of hearing individuals may call 1-800-451-7985 (TTY users).

### Purpose of the proposal and its anticipated effects, including any changes in existing rules:

The Department is proposing a new rule to effectuate new legislation promoting the use and manufacture of alternative renewable energy systems in the state of Washington through the development of a customers' cost recovery incentive payments program with a corresponding credit to participating light and power businesses. Specifically, a credit of up to \$2,000 annually will be paid to customers for measured electric generation from qualified solar, wind and anaerobic digester energy systems. The light and power businesses pay the incentive payments to their qualifying customers and then receive a credit equal to the amount of payments made on their public utility tax. The amount of payments one light and power business may make is limited by the higher of \$25,000 or 0.25% of the business' prior year's taxable power sales due under RCW 82.16.020(1)(b). Participation by the light and power businesses in this program is discretionary.

**Reasons supporting proposal:** To explain the Renewable Energy System Cost Recovery Program provided in RCW 82.16.110, 82.16.120, 82.16.130, and 82.16.140.

**Statutory authority for adoption:** RCW 82.32.300 and 82.01.060

**Statute being implemented:** RCW 82.16.110, 82.16.120, 82.16.130, and 82.16.140

### Is rule necessary because of a:

- Federal Law?  Yes  No
  - Federal Court Decision?  Yes  No
  - State Court Decision?  Yes  No
- If yes, CITATION:

**Filed: June 21, 2006**

### Date

**Time: 9:07 a.m.**

### Name

Alan R. Lynn

**WSR: 06-13-099**

### Signature

**The above information was input by DOR**

### Title

Rules Coordinator

**Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:** None

**Name of proponent:** Department of Revenue

- Private  
 Public  
 Governmental

**Name of agency personnel responsible for:**

Name	Office Location	Phone
Drafting..... Mark Bohe	1025 Union Ave. SE. Ste #544, Olympia ,Wa	(360) 570-6133
Implementation.... Alan R. Lynn	1025 Union Ave. SE. Ste #544, Olympia ,Wa	(360) 570-6125
Enforcement..... Janis P. Bianchi	1025 Union Ave. SE. Ste #544, Olympia ,Wa	(360) 570-6147

**Has a small business economic impact statement been prepared under chapter 19.85 RCW?**

Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone

fax

e-mail

No. Explain why no statement was prepared. **This rule does not impose any new performance requirement or administrative burden on any small business not required by statute.**

**Is a cost-benefit analysis required under RCW 34.05.328?**

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone

fax

e-mail

No: Please explain: **This is not a significant legislative rule as defined in RCW 34.05.328.**