

**ESHB 1428** - S COMM AMD

By Committee on Environment, Energy & Technology

**ADOPTED 04/10/2019**

1 Strike everything after the enacting clause and insert the  
2 following:

3 "Sec. 1. 2000 c 213 s 1 (uncodified) is amended to read as  
4 follows:

5 (1) Consumer disclosure ensures that retail electric consumers  
6 purchasing electric energy receive basic information about the  
7 characteristics associated with their electric product in a form that  
8 facilitates consumer understanding of retail electric energy service  
9 and the development of new products responsive to consumer  
10 preferences.

11 (2) The legislature finds and declares that there is a need for  
12 reliable, accurate, and timely information regarding fuel source((~~r~~))  
13 that is consistently collected, for all electricity products offered  
14 for retail sale in Washington.

15 (3) The desirability and feasibility of such disclosure has been  
16 clearly established in nutrition labeling, uniform food pricing,  
17 truth-in-lending, and other consumer information programs.

18 (4) The legislature intends to establish a consumer disclosure  
19 standard under which retail suppliers in Washington disclose  
20 information on the fuel mix of the electricity products they sell.  
21 Fundamental to disclosure is a label that promotes consistency in  
22 content and format, that is accurate, reliable, and simple to  
23 understand, and that allows verification of the accuracy of  
24 information reported.

25 (5) To ensure that consumer information is verifiable and  
26 accurate, certain characteristics of electricity generation must be  
27 tracked and compared with information provided to consumers.

28 (6) The legislature recognizes that the generation, transmission,  
29 and delivery of electricity occurs through a complex network of  
30 interconnected facilities and contractual arrangements. As a result,  
31 the legislature intends that the fuel characteristics disclosed under

1 this chapter represent reasonable approximations that are suitable  
2 only for informational or disclosure purposes.

3 (7) The disclosures required by this chapter reflect the  
4 characteristics of electricity products offered by retail suppliers  
5 to customers. Nothing in this chapter prohibits a retail supplier  
6 from communicating to its customers, owners, taxpayers, or the  
7 general public information regarding its investment in or ownership  
8 of renewable or nonrenewable generating facilities, its production of  
9 electricity, or its wholesale market activities, as long as the  
10 information is provided separately from the electricity product  
11 content label.

12 **Sec. 2.** RCW 19.29A.010 and 2015 c 285 s 1 are each reenacted and  
13 amended to read as follows:

14 The definitions in this section apply throughout this chapter  
15 unless the context clearly requires otherwise.

16 (1) ~~"Biomass generation" ((means electricity derived from burning~~  
17 ~~solid organic fuels from wood, forest, or field residue, or dedicated~~  
18 ~~energy crops that do not include wood pieces that have been treated~~  
19 ~~with chemical preservatives such as creosote, pentachlorophenol, or~~  
20 ~~copper-chrome-arsenic))~~ has the same meaning as "biomass energy"  
21 defined in RCW 19.285.030.

22 (2) "Bonneville power administration system mix" means a  
23 generation mix sold by the Bonneville power administration that is  
24 net of any resource specific sales ~~((and that is net of any~~  
25 ~~electricity sold to direct service industrial customers, as defined~~  
26 ~~in section 3(8) of the Pacific Northwest electric power planning and~~  
27 ~~conservation act (16 U.S.C. Sec. 839(a)(8)))).~~

28 (3) ~~("Coal generation" means the electricity produced by a~~  
29 ~~generating facility that burns coal as the primary fuel source.~~

30 ~~(4))~~ "Commission" means the utilities and transportation  
31 commission.

32 ~~((5))~~ (4) "Conservation" means an increase in efficiency in the  
33 use of energy use that yields a decrease in energy consumption while  
34 providing the same or higher levels of service. Conservation includes  
35 low-income weatherization programs.

36 ~~((6))~~ (5) "Consumer-owned utility" means a municipal electric  
37 utility formed under Title 35 RCW, a public utility district formed  
38 under Title 54 RCW, an irrigation district formed under chapter 87.03  
39 RCW, a cooperative formed under chapter 23.86 RCW, or a mutual

1 corporation or association formed under chapter 24.06 RCW, that is  
2 engaged in the business of distributing electricity to more than one  
3 retail electric customer in the state.

4 ~~((7))~~ (6) "Declared resource" means an electricity source  
5 specifically identified by a retail supplier to serve retail electric  
6 customers. A declared resource includes a stated quantity of  
7 electricity tied directly to a specified generation facility or set  
8 of facilities either through ownership or contract purchase, or a  
9 contractual right to a stated quantity of electricity from a  
10 specified generation facility or set of facilities.

11 ~~((8))~~ (7) "Department" means the department of commerce.

12 ~~((9))~~ (8) "Electric meters in service" means those meters that  
13 record in at least nine of twelve calendar months in any calendar  
14 year not less than two hundred fifty kilowatt-hours per month.

15 ~~((10))~~ (9) "Electric utility" means a consumer-owned or  
16 investor-owned utility as defined in this section.

17 ~~((11))~~ (10) "Electricity" means electric energy measured in  
18 kilowatt-hours, or electric capacity measured in kilowatts, or both.

19 ~~((12))~~ ~~"Electricity information coordinator" means the~~  
20 ~~organization selected by the department under RCW 19.29A.080 to: (a)~~  
21 ~~Compile generation data in the Northwest power pool by generating~~  
22 ~~project and by resource category; (b) compare the quantity of~~  
23 ~~electricity from declared resources reported by retail suppliers with~~  
24 ~~available generation from such resources; (c) calculate the net~~  
25 ~~system power mix; and (d) coordinate with other comparable~~  
26 ~~organizations in the western interconnection.~~

27 ~~(13))~~ (11) "Electricity product" means the electrical energy  
28 produced by a generating facility or facilities that a retail  
29 supplier sells or offers to sell to retail electric customers in the  
30 state of Washington, provided that nothing in this title shall be  
31 construed to mean that electricity is a good or product for the  
32 purposes of Title 62A RCW, or any other purpose. It does not include  
33 electrical energy generated on-site at a retail electric customer's  
34 premises.

35 ~~((14))~~ (12) "Electricity product content label" means  
36 information presented in a uniform format by a retail supplier to its  
37 retail customers and disclosing the information required in RCW  
38 19.29A.060 about the characteristics of an electricity product.

39 (13) "Fuel attribute" means the characteristic of electricity  
40 determined by the fuel used in the generation of that electricity.

1 For a renewable resource, the fuel attribute is included in its  
2 nonpower attributes.

3 (14) "Fuel mix" means the ~~((actual or imputed))~~ sources of  
4 electricity sold to retail electric customers, expressed in terms of  
5 percentage contribution by resource category. The total fuel mix  
6 included in each disclosure shall total one hundred percent.

7 ~~(15) ("Geothermal generation" means electricity derived from~~  
8 ~~thermal energy naturally produced within the earth.~~

9 ~~(16))~~ "Governing body" means the council of a city or town, the  
10 commissioners of an irrigation district, municipal electric utility,  
11 or public utility district, or the board of directors of an electric  
12 cooperative or mutual association that has the authority to set and  
13 approve rates.

14 ~~((17) "High efficiency cogeneration" means electricity produced~~  
15 ~~by equipment, such as heat or steam used for industrial, commercial,~~  
16 ~~heating, or cooling purposes, that meets the federal energy~~  
17 ~~regulatory commission standards for qualifying facilities under the~~  
18 ~~public utility regulatory policies act of 1978.~~

19 ~~(18) "Hydroelectric generation" means a power source created when~~  
20 ~~water flows from a higher elevation to a lower elevation and the flow~~  
21 ~~is converted to electricity in one or more generators at a single~~  
22 ~~facility.~~

23 ~~(19))~~ (16) "Investor-owned utility" means a company owned by  
24 investors that meets the definition of RCW 80.04.010 and is engaged  
25 in distributing electricity to ~~((more than))~~ one or more retail  
26 electric customers in the state.

27 ~~((20) "Landfill gas generation" means electricity produced by a~~  
28 ~~generating facility that uses waste gases produced by the~~  
29 ~~decomposition of organic materials in landfills.~~

30 ~~(21) "Natural gas generation" means electricity produced by a~~  
31 ~~generating facility that burns natural gas as the primary fuel~~  
32 ~~source.~~

33 ~~(22) "Net system power mix" means the fuel mix in the Northwest~~  
34 ~~power pool, net of: (a) Any declared resources in the Northwest power~~  
35 ~~pool identified by in-state retail suppliers or out-of-state entities~~  
36 ~~that offer electricity for sale to retail electric customers; (b) any~~  
37 ~~electricity sold by the Bonneville power administration to direct~~  
38 ~~service industrial customers; and (c) any resource specific sales~~  
39 ~~made by the Bonneville power administration.~~

1 ~~(23) "Northwest power pool" means the generating resources~~  
2 ~~included in the United States portion of the Northwest power pool~~  
3 ~~area as defined by the western systems coordinating council.~~

4 ~~(24) "Oil generation" means electricity produced by a generating~~  
5 ~~facility that burns oil as the primary fuel source.~~

6 ~~(25))~~ (17) "Nonpower attributes" has the same meaning as defined  
7 in RCW 19.285.030.

8 (18) "Private customer information" includes a retail electric  
9 customer's name, address, telephone number, and other personally  
10 identifying information.

11 ~~((26))~~ (19) "Proprietary customer information" means: (a)  
12 Information that relates to the source, technical configuration,  
13 destination, and amount of electricity used by a retail electric  
14 customer, a retail electric customer's payment history, and household  
15 data that is made available by the customer solely by virtue of the  
16 utility-customer relationship; and (b) information contained in a  
17 retail electric customer's bill.

18 ~~((27))~~ (20) "Renewable energy certificate" means a tradable  
19 certificate of proof of one megawatt-hour of electricity from a  
20 renewable resource. The certificate includes all of the nonpower  
21 attributes associated with that one megawatt-hour of electricity, and  
22 the certificate is verified by a renewable energy certificate  
23 tracking system specified by the department.

24 (21) "Renewable resource(s)" ~~((means electricity generation~~  
25 ~~facilities fueled by: (a) Water; (b) wind; (c) solar energy; (d)~~  
26 ~~geothermal energy; (e) landfill gas; or (f) biomass energy based on~~  
27 ~~solid organic fuels from wood, forest, or field residues, or~~  
28 ~~dedicated energy crops that do not include wood pieces that have been~~  
29 ~~treated with chemical preservatives such as creosote,~~  
30 ~~pentachlorophenol, or copper-chrome-arsenic))~~ has the same meaning as  
31 defined in RCW 19.285.030.

32 ~~((28))~~ (22) "Resale" means the purchase and subsequent sale of  
33 electricity for profit, but does not include the purchase and the  
34 subsequent sale of electricity at the same rate at which the  
35 electricity was purchased.

36 ~~((29))~~ (23) "Retail electric customer" means a person or entity  
37 that purchases electricity for ultimate consumption and not for  
38 resale.

1       ~~((30))~~ (24) "Retail supplier" means an electric utility that  
2 offers an electricity product for sale to retail electric customers  
3 in the state.

4       ~~((31))~~ (25) "Small utility" means any consumer-owned utility  
5 with twenty-five thousand or fewer electric meters in service, or  
6 that has an average of seven or fewer customers per mile of  
7 distribution line.

8       ~~((32) "Solar generation" means electricity derived from  
9 radiation from the sun that is directly or indirectly converted to  
10 electrical energy.~~

11       ~~(33))~~ (26) "Source and disposition report" means the report  
12 required in section 5 of this act.

13       (27) "State" means the state of Washington.

14       ~~((34) "Waste incineration generation" means electricity derived  
15 from burning solid or liquid wastes from businesses, households,  
16 municipalities, or waste treatment operations.~~

17       ~~(35) "Wind generation" means electricity created by movement of  
18 air that is converted to electrical energy.)~~

19       (28) "Unspecified source" means an electricity source for which  
20 the fuel attribute is unknown or has been separated from the energy.

21       **Sec. 3.** RCW 19.29A.050 and 2000 c 213 s 3 are each amended to  
22 read as follows:

23       (1) ~~((Beginning in 2001,))~~ Each retail supplier shall provide to  
24 its existing and new retail electric customers its annual fuel mix  
25 information by generation category as required in RCW 19.29A.060.

26       (2) Disclosures required under subsection (1) of this section  
27 shall be provided through ~~((a disclosure))~~ an electricity product  
28 content label presented in a ~~((standardized))~~ uniform format ~~((as~~  
29 ~~required in RCW 19.29A.060(7))~~).

30       (3) Except as provided in subsection ~~((5))~~ (4) of this section,  
31 each retail supplier shall provide the ~~((disclosure))~~ electricity  
32 product content label:

33       (a) To each ~~((of its))~~ new retail electric customers at the time  
34 service is established;

35       (b) To ~~((all of its))~~ each existing retail electric  
36 customer~~((s))~~, ~~((as a bill insert or other))~~ delivered with the  
37 customer's billing statement or as a separately mailed publication,  
38 not less than ~~((semiannually))~~ annually; ~~((and))~~

39       (c) On the retail supplier's publicly accessible web site; and

1        (d) As part of any marketing material, in electronic, paper,  
2 written, or other media format, that is used primarily to promote the  
3 sale of any specific electricity product being advertised, contracted  
4 for, or offered for sale to current or prospective retail electric  
5 customers. For the purposes of this subsection, an electric product  
6 does not include conservation programs, equipment or materials, or  
7 equipment or materials related to transportation electrification.

8        ~~(4) ((In addition to the disclosure requirements under subsection~~  
9 ~~(3) of this section, each retail supplier shall provide to each~~  
10 ~~electric customer it serves, at least two additional times per year,~~  
11 ~~a publication that contains either:~~

12        ~~(a) The disclosure label;~~

13        ~~(b) A customer service phone number to request a disclosure~~  
14 ~~label; or~~

15        ~~(c) A reference to an electronic form of the disclosure label.~~

16        ~~(5) Small utilities and mutual light and power companies shall~~  
17 ~~provide the disclosure label not less than annually through a~~  
18 ~~publication that is distributed to all their retail electric~~  
19 ~~customers, and have disclosure label information available in their~~  
20 ~~main business office)) Each small utility and mutual light and power~~

21 company shall provide the electricity product content label not less  
22 than annually through a publication that is distributed to all its  
23 retail electric customers, publicly display the electricity product  
24 content label at its main business office, and provide the  
25 electricity product content label on its publicly accessible web  
26 site. If a small utility or mutual company engages in marketing a  
27 specific electric product new to that utility it shall provide the  
28 ~~((disclosure)) electricity product content label described in~~  
29 subsection (3) ~~((e))~~ (d) of this section.

30        **Sec. 4.** RCW 19.29A.060 and 2000 c 213 s 4 are each amended to  
31 read as follows:

32        (1) Each retail supplier ~~((shall disclose the fuel mix of each~~  
33 ~~electricity product it offers to retail electric customers as~~  
34 ~~follows:~~

35        ~~(a) For an electricity product comprised entirely of declared~~  
36 ~~resources, a retail supplier shall disclose the fuel mix for the~~  
37 ~~electricity product based on the quantity of electric generation from~~  
38 ~~those declared resources for the previous calendar year and any~~  
39 ~~adjustment, if taken, available under subsection (6) of this section.~~

1 ~~(b) For an electricity product comprised of no declared~~  
2 ~~resources, a retail supplier shall report the fuel mix for the~~  
3 ~~electricity product as the fuel mix of net system power for the~~  
4 ~~previous calendar year, as determined by the electricity information~~  
5 ~~coordinator under RCW 19.29A.080.~~

6 ~~(c) For an electricity product comprised of a combination of~~  
7 ~~declared resources and the net system power, a retail supplier shall~~  
8 ~~disclose the fuel mix for the electricity product as a weighted~~  
9 ~~average of the megawatt-hours from declared resources and the~~  
10 ~~megawatt-hours from the net system power mix for the previous~~  
11 ~~calendar year according to the proportion of declared resources and~~  
12 ~~net system power contained in the electricity product)) must disclose~~  
13 ~~to its customers the fuel characteristics of each electricity product~~  
14 ~~it offers to retail electric customers using information consistent~~  
15 ~~with the retail supplier's source and disposition report.~~

16 (2) The fuel characteristics disclosures required by this section  
17 (~~shall~~) must identify for each electricity product the percentage  
18 of the total electricity product sold by a retail supplier during the  
19 previous calendar year from each of the following categories, using a  
20 uniform format:

- 21 (a) Coal ((generation));
- 22 (b) Hydroelectric ((generation));
- 23 (c) Natural gas ((generation));
- 24 (d) Nuclear ((generation)); ((and))
- 25 (e) Petroleum;
- 26 (f) Solar;
- 27 (g) Wind;

28 (h) Other generation, except that when a component of the other  
29 generation category meets or exceeds two percent of the total  
30 electricity product sold by a retail supplier during the previous  
31 calendar year, the retail supplier shall identify the component or  
32 components and display the fuel mix percentages for these component  
33 sources((, which may include, but are not limited to: (i) Biomass  
34 generation; (ii) geothermal generation; (iii) landfill gas  
35 generation; (iv) oil generation; (v) solar generation; (vi) waste  
36 incineration; or (vii) wind generation)). A retail supplier may  
37 voluntarily identify any component or components within the other  
38 generation category that comprises two percent or less of annual  
39 sales; and

- 40 (i) Unspecified sources.



1           (3) ~~((Retail suppliers may separately report a subcategory of~~  
2 ~~natural gas generation to identify high efficiency cogeneration.~~

3           ~~(4) Except as provided in subsection (3) of this section,~~) If  
4 the percentage amount of unspecified sources identified in subsection  
5 (2) of this section exceeds two percent for an electricity product,  
6 the retail supplier must include on the label a general description  
7 of unspecified sources and an explanation of why some power sources  
8 are unknown to the retail supplier.

9           (4) A retail supplier ((cannot)) may not include in the  
10 ((disclosure)) electricity product content label any environmental  
11 quality or environmental impact qualifier, other than those permitted  
12 or required by this chapter, related to any of the generation  
13 categories disclosed.

14           (5) For the portion of an electricity product purchased from the  
15 Bonneville power administration, a retail supplier((s)) may  
16 ~~((disclose))~~ incorporate the Bonneville power administration system  
17 mix in its disclosure.

18           ~~(6) ((A retail supplier may adjust its reported fuel mix for~~  
19 ~~known changes in its declared resources for the current year based on~~  
20 ~~any changes in its sources of electricity supply from either~~  
21 ~~generation or contracts. If a retail supplier changes its fuel mix~~  
22 ~~during a calendar year, it shall report those changes to the~~  
23 ~~electricity information coordinator.~~

24           ~~(7) Disclosure of the fuel mix information required in this~~  
25 ~~section shall be made in the following uniform format: A tabular~~  
26 ~~format with two columns, where the first column shall alphabetically~~  
27 ~~list each category and the second column shall display the~~  
28 ~~corresponding percentage of the total that each category represents.~~  
29 ~~The percentage shall be reported as a numeric value rounded to the~~  
30 ~~nearest one percent. The percentages listed for the categories~~  
31 ~~identified must sum to one hundred percent with the table displaying~~  
32 ~~such a total.))~~ A retail supplier may include with the electricity  
33 product content label additional information concerning the quantity  
34 of renewable energy certificates, if not otherwise included in the  
35 retail supplier's declared resources, that are retired for compliance  
36 with RCW 19.285.040(2) in the reporting year.

37           NEW SECTION. Sec. 5. (1) Each retail supplier must report to  
38 the department each year, based on actual and verified activity in

1 the prior year, the following information on its sources and uses of  
2 electricity in Washington:

3 (a) Electricity delivered to retail electric customers;

4 (b) Purchases or receipts of electricity from declared resources  
5 used to serve retail electric customers, by generating facility and  
6 fuel type; and

7 (c) Purchases or receipts of electricity from unspecified sources  
8 used to serve retail electric customers.

9 (2) The following requirements and limitations apply to the  
10 reporting of declared resources:

11 (a) A retail supplier must report an electricity purchase or  
12 receipt as a declared resource if the retail supplier was the direct  
13 or indirect owner of the generating facility or acquired the  
14 electricity in a transaction, supported by an auditable contract  
15 trail, in which the buyer and seller specified the source or set of  
16 sources of the electricity.

17 (b) A retail supplier may assign declared resources and  
18 unspecified resources to its retail service for purposes of this  
19 section using reasonable methods consistent with its business  
20 practices. A retail supplier must identify any change in method from  
21 the prior year in its report to the department.

22 (c) A retail supplier may not report a declared resource as a  
23 renewable resource if there exists a renewable energy certificate or  
24 other instrument representing the nonpower attributes of the  
25 electricity and the retail supplier does not own the renewable energy  
26 certificate or instrument.

27 (d) For an electricity product that is an optional product  
28 complying with RCW 19.29A.090, a retail supplier may report as a  
29 declared resource any combination of renewable energy certificates  
30 and electricity that meets the requirements of RCW 19.29A.090.

31 (3) Each retail supplier must report as an unspecified source any  
32 electricity source that was acquired in a transaction where the fuel  
33 attribute was not specified by the seller or provider or was not  
34 included in the transaction.

35 (4) A retail supplier that offers more than one electricity  
36 product must report the required source information separately for  
37 each product. Individual retail customer rate schedules do not  
38 constitute separate electricity products unless electricity sources  
39 are different.

1 (5) Each retail supplier must report the information required by  
2 this section as annual totals in megawatt-hours.

3 (6) The department must determine fuel mix percentages for each  
4 retail supplier based on the information provided in source and  
5 disposition reports. Each retail supplier's fuel mix percentages must  
6 reflect, to the extent possible, the declared resources reported by  
7 that retail supplier.

8 NEW SECTION. **Sec. 6.** (1) Any renewable energy certificate  
9 included in the source and disposition report must be created and  
10 retired within the certificate tracking system approved by the  
11 department and must represent renewable generation of a generating  
12 facility located in the region of the tracking system.

13 (2) A renewable energy certificate retired for any of the  
14 following purposes may not be included in the source and disposition  
15 report:

16 (a) Voluntary renewable energy programs, except where the  
17 electricity product is an optional product complying with RCW  
18 19.29A.090;

19 (b) Compliance obligations not related to the provision of  
20 electricity service to retail customers in Washington; and

21 (c) Any other purpose established by rule by the department.

22 (3) A retail supplier must retire any renewable energy  
23 certificates included in its source and disposition report within one  
24 year after submitting its report.

25 NEW SECTION. **Sec. 7.** The department must develop and publish an  
26 estimate of the fuel characteristics of the generation sources  
27 reasonably available to serve Washington customers and not included  
28 as a declared resource of any retail supplier. The department may  
29 include or exclude any electricity source as it deems reasonable to  
30 accurately represent the characteristics of residual electricity  
31 supplies used by retail suppliers in Washington. The department must  
32 make available documentation of the inputs and calculations used in  
33 making the estimate.

34 **Sec. 8.** RCW 19.29A.080 and 2000 c 213 s 6 are each amended to  
35 read as follows:

36 (1) ~~((For the purpose of selecting the electricity information~~  
37 ~~coordinator, the department shall form a work group of interested~~

1 ~~parties. The department shall invite interested parties, including,~~  
2 ~~but not limited to, representatives from investor-owned utilities,~~  
3 ~~consumer-owned utilities, the commission, the attorney general's~~  
4 ~~office, consumer advocacy groups, and the environmental community to~~  
5 ~~participate in the work group. In the event an appropriate regional~~  
6 ~~entity is not selected by November 1, 2000, the department shall~~  
7 ~~serve as the electricity information coordinator after notifying the~~  
8 ~~committees of the senate and house of representatives with~~  
9 ~~jurisdiction over energy matters)) The department may adopt  
10 administrative rules under chapter 34.05 RCW to implement the  
11 provisions of this chapter.~~

12 (2) The department may receive any lawful gifts, grants, or  
13 endowments from public or private sources that are made from time to  
14 time, in trust or otherwise, for the use and benefit of the  
15 department in implementing this section, and may spend such gifts,  
16 grants, or endowments for the purposes of implementing this section.

17 (3) ~~((As a condition for an appropriate regional entity to be~~  
18 ~~selected under this section to serve as the electricity information~~  
19 ~~coordinator, it must agree to compile the following information:~~

20 ~~(a) Actual generation by fuel mix in the Northwest power pool for~~  
21 ~~the prior calendar year, expressed in megawatt-hours. This data will~~  
22 ~~be compiled as it becomes available.~~

23 ~~(b) Adjustments to the actual generation for the prior calendar~~  
24 ~~year that are known and provided to the electricity information~~  
25 ~~coordinator by the end of January of the current calendar year to~~  
26 ~~reflect known changes in declared resources for the current year and~~  
27 ~~changes due to interconnection of new generating resources or~~  
28 ~~decommissioning or sale of existing resources or contracts. These~~  
29 ~~adjustments shall include supporting documentation.~~

30 ~~(c) The amount of electricity from declared resources that retail~~  
31 ~~suppliers will identify in their fuel mix disclosures during the~~  
32 ~~current calendar year. Retail suppliers shall make this data~~  
33 ~~available by the end of January each year)) The department must  
34 regularly seek input from retail providers, consumers, environmental  
35 advocates, the Bonneville power administration, other state  
36 disclosure programs, and other stakeholders regarding potential  
37 improvements to the disclosure program established by this act.~~

38 (4) ~~((Retail suppliers shall make available)) Each retail~~  
39 supplier must make available to the department upon request the

1 following information to support the ownership or contractual rights  
2 to declared resources:

3 (a) Documentation of ownership of declared resources by retail  
4 suppliers; or

5 (b) Documentation of contractual rights by retail suppliers to a  
6 stated quantity of electricity from a specific generating facility.

7 ~~((If the documentation referred to in either (a) or (b) of this  
8 subsection is not available, the retail supplier may not identify the  
9 electricity source as a declared resource and instead must report the  
10 net system power mix for the quantity of electric generation from  
11 that resource.~~

12 ~~(5) If the documentation referred to in either subsection (4) (a)  
13 or (b) of this section is not available, the retail supplier may not  
14 identify the electricity source as a declared resource and instead  
15 must report the net system power mix for the quantity of electric  
16 generation from that resource.~~

17 ~~(6) As a condition for an appropriate regional entity to be  
18 selected under this section to serve as the electricity information  
19 coordinator, it must agree to:~~

20 ~~(a) Coordinate with comparable entities or organizations in the  
21 western interconnection;~~

22 ~~(b) On or before May 1st of each year, or as soon thereafter as  
23 practicable once the data in subsection (3) (a) of this section is  
24 available, calculate and make available the net system power mix as  
25 follows:~~

26 ~~(i) The actual Northwest power pool generation for the prior  
27 calendar year;~~

28 ~~(ii) Plus any adjustments to the Northwest power pool generation  
29 as made available to the electricity information coordinator by the  
30 end of January of the current calendar year pursuant to RCW  
31 19.29A.060(6);~~

32 ~~(iii) Less the quantity of electricity associated with declared  
33 resources claimed by retail suppliers for the current calendar year;~~

34 ~~(iv) Plus other adjustments necessary to ensure that the same  
35 resource output is not declared more than once;~~

36 ~~(c) To the extent the information is available, verify that the  
37 quantity of electricity associated with the declared resources does  
38 not exceed the available generation from those resources.~~

1       ~~(7) Subsections (3) and (6) of this section apply to the~~  
2 ~~department in the event the department assumes the functions of the~~  
3 ~~electricity information coordinator.))~~

4       NEW SECTION.   **Sec. 9.**   Sections 1 and 5 through 7 of this act are  
5 each added to chapter 19.29A RCW.

6       NEW SECTION.   **Sec. 10.**   RCW 19.29A.070 (Actions required of  
7 department—Convene work group—Report to legislature) and 2000 c 213  
8 s 5 are each repealed."

**ESHB 1428** - S COMM AMD

By Committee on Environment, Energy & Technology

**ADOPTED 04/10/2019**

9       On page 1, line 2 of the title, after "products;" strike the  
10 remainder of the title and insert "amending RCW 19.29A.050,  
11 19.29A.060, and 19.29A.080; amending 2000 c 213 s 1 (uncodified);  
12 reenacting and amending RCW 19.29A.010; adding new sections to  
13 chapter 19.29A RCW; and repealing RCW 19.29A.070."

EFFECT: Corrects an internal reference.

--- END ---