



August 23, 2013

Washington State Department of Ecology
PO Box 47600
Olympia, WA 98504

Attention: Fran Sant, fran.sant@ecy.wa.gov

Re: Preliminary Draft Proposed changes to Chapter 197-11 WAC

Dear Ms. Sant:

Thank you for the opportunity to comment on the draft proposed changes to WAC 197-11-800. We are writing you with the request from the utility industry to include the following rule language as part of Department of Ecology's SEPA Phase II rulemaking. This rule change allows the development of facilities up to 115,000 volts without the limitations of the facility. Many utilities across the state are upgrading aging electric lines to 115,000 to increase electric reliability and meet current and future demand for power for Washington customers. There is very little discernible difference between the current 55,000 volt and 115,000 volt systems. The poles are typically the same height, the wires are approximately the same size, and the insulators between the poles and the wires are only slightly larger.

We appreciate your consultation with the utility community throughout this rulemaking process. Our industry has been active participants in the process and is negotiating in good-faith with all affected parties involved. As the Department considers changes in Phase II we would like to take the opportunity provided by the enabling legislation to review and update Phase I issues by readdressing the utility categorical exemption. We consider the change outlined below as fair and equitable and reflects the essence of the negotiations that have advanced since May 2012 as well as the spirit of Senate Bill 6406.

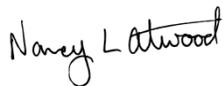
As we formally proposed in the Phase I rulemaking process and discussed several of the Phase II meetings, we request the following change:

23) **Utilities.** The utility-related actions listed below shall be exempt, except for installation, construction, or alteration on lands covered by water. The exemption includes installation and construction, relocation when required by other governmental bodies, repair, replacement, maintenance, operation or alteration that does not change the action from an exempt class.

- (a) All communications lines, including cable TV, but not including communication towers or relay stations.
- (b) All storm water, water and sewer facilities, lines, equipment, hookups or appurtenances including, utilizing or related to lines eight inches or less in diameter.
- (c) ~~All electric facilities, lines, equipment or appurtenances, not including substations, with an associated voltage of 55,000 volts or less; the overbuilding of existing distribution lines (55,000 volts or less) with transmission lines (up to and including 115,000 volts); within existing rights of way or developed utility corridors, all electric facilities, lines, equipment or appurtenances, not including substations, with an associated voltage of 115,000 volts or less; and the undergrounding of all electric facilities, lines, equipment or appurtenances.~~ All electric facilities, lines, equipment or appurtenances, not including substations, with an associated voltage of 115,000 volts or less; the overbuilding of existing distribution systems with transmission lines of 115,000 volts or less; and the undergrounding of all electric facilities, lines, equipment or appurtenances.

Again, we appreciate your consultation with the utility community throughout this process. We look forward to hearing from you. Please feel free to contact our company representatives with any questions you may have.

Sincerely,



Nancy Atwood
Sr. State Government Relations Representative
Puget Sound Energy

Collins Sprague

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Government Relations Director
Avista Corp.



Dave Warren
Energy Services Director
Washington PUD Association



Scott Bolton
Government Affairs Vice President
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