Rule-Making Order

Agency: Energy Facility Site Evaluation Council

Effective date of rule:
- Permanent Rules
  - 31 days after filing.
- Emergency Rules
  - Immediately upon filing.

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?
- Yes
- No

Purpose: The purpose of adopting Chapter 463-61 WAC is to adopt a mandatory preapplication process required prior to filing an application with the Energy Facility Site Evaluation Council to site electrical transmission lines that are 115 kilovolts or greater as provided in RCW 80.50.330 as well as identifying the requirements for submitting an application for site certification and the costs associated with the preapplication and application process for electrical transmission facilities.

Citation of existing rules affected by this order:
- Repealed:
- Amended:
- Suspended:

Statutory authority for adoption: Chapters 80.50 RCW

Other authority: RCW 80.50.040

PERMANENT RULE ONLY (Including Expedited Rule Making)
Adopted under notice filed as WSR 08-16-093 on 8/05/08 (date).

Describe any changes other than editing from proposed to adopted version:

In response to public comments clarifying changes were made to several sections of the proposed rule. There were no substantive changes.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name: [Name]
Address: [Address]
Phone: [Phone]
Fax: [Fax]
E-mail: [E-mail]

EMERGENCY RULE ONLY
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:

Date adopted: October 15, 2008

NAME (TYPE OR PRINT)
Allen J. Fiksdal

SIGNATURE
/s/

TITLE
EFSEC Manager

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED
DATE: October 15, 2008
TIME: 11:56 PM
WSR 08-21-092

(COMPLETE REVERSE SIDE)
Note: If any category is left blank, it will be calculated as zero.
No descriptive text.

Count by whole WAC sections only, from the WAC number through the history note. A section may be counted in more than one category.

The number of sections adopted in order to comply with:

<table>
<thead>
<tr>
<th>Category</th>
<th>New</th>
<th>Amended</th>
<th>Repealed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Federal statute:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Federal rules or standards:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recently enacted state statutes:</td>
<td>11</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The number of sections adopted at the request of a nongovernmental entity:

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<th>New</th>
<th>Amended</th>
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</thead>
</table>

The number of sections adopted in the agency's own initiative:

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<th>New</th>
<th>Amended</th>
<th>Repealed</th>
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</thead>
</table>

The number of sections adopted in order to clarify, streamline, or reform agency procedures:

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<tr>
<th>Category</th>
<th>New</th>
<th>Amended</th>
<th>Repealed</th>
</tr>
</thead>
</table>

The number of sections adopted using:

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<th>Category</th>
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</thead>
<tbody>
<tr>
<td>Negotiated rule making:</td>
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<td></td>
</tr>
<tr>
<td>Pilot rule making:</td>
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<td></td>
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<tr>
<td>Other alternative rule making:</td>
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</tbody>
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