

1 **WAC 463-XX-XXX Need Standard**

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3 (1) Introduction.

4 This rule establishes a need standard for thermal generating facilities under council jurisdiction.

5 (2) Policy.

6 Requiring applicants to meet a need standard is consistent with the council’s mission to balance demand
7 for energy facilities with the broad interests of the public, as expressed in RCW 80.50.010.

8 (3) Standard for thermal generating facilities.

9 An applicant for site certification for a thermal generating facility must demonstrate that operating, under
10 construction, and permitted supply and demand-side resources in the Pacific Northwest region, as
11 defined in 16 United States Code Chapter 12H (1994 & Supp. I 1995) 839a(14), are insufficient to
12 meet 115% percent of projected demands at critical water over the ten years following the date of
13 application.

14 (4) Application of the standard.

15 Except as provided in subsection (a) and (b) below, an applicant must demonstrate to the council that it
16 meets the need standard described in (3).

17 (a) An applicant who meets the definition of a public agency in RCW 80.52.030 is exempt from
18 the need standard if the applicant is required to obtain citizen review and approval for the
19 thermal generating facility under RCW 80.52.

20 (b) As an alternative to demonstrating that it meets the need standard in (3), an applicant may
21 demonstrate to the council that the proposed facility will provide a net benefit to consumers. In
22 this case, the application must be consistent with the policies expressed in subsections one
23 through four of RCW 43.21F.015. Specifically, the council will consider:

24 (i) whether and to what extent the energy and capacity from the proposed facility will benefit
25 consumers,

26 (ii) whether the applicant has offered commitments to increase the diversity of resources,
27 including but not limited to demonstration that the proposed facility itself is consistent with goals
28 of diversity or preferred resource acquisition strategies, or if the facility is not consistent with
29 these goals, a commitment to procure additional resources such as energy conservation or
30 renewable sources of energy; and

31 (iii) whether, and to what extent, the proposed generating facility will mitigate environmental
32 impacts consistent with the environmental policies and requirements articulated in state land use
33 and environmental statutes and other relevant statutory criteria in individual cases.