

Comments on ISP Public Participation

May 27, 2025

The following organizations request the Washington Utilities and Transportation Commission to restore meaningful public participation in Puget Sound Energy's long-term resource planning process:

- Washington Clean Energy Coalition
- Third Act Washington
- 350 Eastside
- Kittitas Climate Action

HB 1589 rulemaking

We have been studying WAC 480-100-655 ("Public participation in a clean energy implementation plan") to determine whether PSE is meeting its requirement to allow "meaningful and inclusive public participation throughout the development and duration of the CEIP" (section 2, "Participation plan and education").

Although the code requires PSE to involve advisory groups at every stage of plan development, it does not specify qualifications for advisory group members, how many there should be, or whether other members of the public are allowed full participation in the process. Consequently, PSE has developed its own methods for constituting advisory groups. In this filing, we will show that PSE is suppressing meaningful participation by members of the public who have been excluded through a highly restrictive admissions process. PSE may respond that the public can submit written comments after an advisory group meeting is concluded, but even this opportunity does not result in meaningful dialog or satisfactory outcomes.

History

During development of PSE's 2013 and 2015 Integrated Resource Plans, the public was allowed to attend the in-person open meetings of the IRP Advisory Group. Attendees were allowed to ask questions or express opinions at almost any time during these meetings. PSE provided lunches and there were breaks in which people could interact with other attendees and PSE staff. There were no professional facilitators.

For the 2017 IRP, PSE formalized the advisory group, recognizing a set of members who were regular participants. Other members of the public were allowed to attend the in-person meetings in an "audience section." The audience was not allowed to speak during the meeting, but they could make comments at the end. There were often half a dozen comments or more.

The advisory process was further formalized for the 2019 IRP when PSE convened a "Technical Advisory Group." Many previous advisory group members were told they lacked the professional qualifications to participate in the TAG. However, when these members submitted their resumes and reasons why they wished to participate, PSE relented and admitted some who had been initially rejected. PSE engaged professional facilitators who strictly controlled speaking opportunities during meetings. If the degree of control felt a little heavy-handed at times, PSE could conveniently disclaim responsibility.

The 2019 TAG was the last in-person advisory group. When COVID hit, PSE held all advisory group meetings online. Although this theoretically made it easier for the public to attend meetings, PSE's rules severely impeded the public's opportunity to engage in productive discussions outside the strict confines of the meeting agenda. PSE shortened the meetings and packed them with so much material that participants could not delve into important issues at any depth. Any time a detailed discussion imperiled the pre-determined time allotted for each topic, PSE told participants to submit written comments, cutting off meaningful discussion.

In 2023, PSE substituted a Resource Planning Advisory Group for the previous Technical Advisory Group. For the first time, PSE required members of the RPAG to have professional qualifications and represent large, recognized organizations. PSE set a target number of advisors and arbitrary quotas for each type of organization. Well-informed citizens and volunteers from other environmental and civic organizations who had served on many previous advisory groups were now categorically excluded from participating in the RPAG. Public observers were only allowed to provide short comments at the end of RPAG meeting, severely restricting public participation in the 2027 Integrated System Plan. These restrictions contradict the spirit, if not the letter, of the Washington Administrative Code that acknowledges the indispensable role of public participation in long-term energy planning.

As a result of PSE's restrictive rules and meeting formats, the number of public comments has fallen significantly compared to previous years. In some meetings, there are only 1 or 2 comments at the conclusion of the meeting. Comments have decreased because there is little incentive for a citizen to sit through meetings that last 2-3 hours in order to provide a 3-minute comment during the closing moments of the meeting, especially since there is no time for discussion of comments by RPAG members or PSE staff. In the Feedback Report that PSE publishes weeks after the meeting, public comments are often simply "acknowledged" or dismissed with a terse but unsatisfying response.

Members of our organizations have repeatedly asked PSE to improve public participation with specific suggestions and requests, but most have been denied. We now turn to the Washington Utilities and Transportation Commission to restore true public participation in PSE's important planning processes.

Requested improvements

Below we describe five problems with PSE's approach to public participation and possible improvements.

1. Advisory group membership

PSE appears to believe that only professionals with high levels of technical knowledge and formal education can be helpful in its planning process. Consequently, PSE establishes strict criteria for each potential member of the Resource Planning Advisory Group.

PSE's preconceived notion of who might qualify as an advisor, and which organizations are allowed to participate, eliminates those who could provide necessary insights into public concerns and aspirations. PSE has narrowed the field of discussion to secondary technical details at a time when the public cares about important decisions that will shape our energy future, such as tradeoffs between cost and reliability, the value of promising but risky technologies (like small modular nuclear reactors), and the challenges and opportunities of electrification. When PSE provides only a limited forum and no opportunity to interact with the company on these questions, citizens must go to regulators or legislators to achieve the future they want. While laws and regulations might ultimately be effective, they are slow

and blunt instruments compared to direct discussions with the utility on how the clean energy transition will be accomplished. Honest, open discussions would lead to better results for customers, the environment, and PSE.

We suggest a return to open meetings that allow any member of the public to speak, and substantive comments are discussed in the meeting. Obviously, some limits on such comments are needed, but reasonable rules can be adopted to ensure that the meetings remain productive. If restricting membership is the only solution, a neutral body like the UTC or the Public Counsel Unit should make membership decisions rather than PSE.

2. Public participation in virtual meetings

Many governmental organizations moved public forums online during the COVID pandemic. In some ways, virtual meetings made it easier for citizens to attend without transportation and parking impediments, childcare arrangements, and scheduling conflicts. But there were downsides as well: technology and internet connection barriers, less empathy with faceless participants, and less opportunity to engage in impromptu conversations with government officials and other citizens. Recognizing the different needs and different constituencies that were served by the different formats, various governmental entities created “hybrid” meetings, where participants could choose to attend in person or online.

PSE offers only online RPAG meetings, which appear to be designed to keep the public out of sight. An online participant cannot see who is in the meeting. PSE does not regularly disclose how many participants are in the meeting or who they are. Members of the public cannot post questions to the chat, which RPAG members can. We have asked PSE to open the chat and have been flatly denied.

PSE provides no way to contact RPAG members. If the RPAG members represent the public, there must be a way to interact with them so we can express concerns that they could mention on our behalf.

There are additional mechanisms of communication provided to RPAG members but withheld from the public. For example, PSE proposed changes to the RPAG charter, but these changes were shared only through direct email to RPAG members, with no access or visibility for the public. At other times, RPAG members have participated in polls or special “virtual rooms” that the public can’t see or participate in.

We ask the UTC to require true openness in RPAG meetings. RPAG members are valued for their expertise, but the voices of the public should be heard as well. There should be no hidden features or communications that aren’t shared with the public.

PSE has a YouTube channel where past RPAG meetings are available for public viewing. However, the link to the channel is referred to only as a “live stream,” perhaps hindering public understanding that this resource is available at any time. We ask that a link to the recorded video for each meeting be included in the meeting artifacts (like the PowerPoint presentation and the Feedback Report) so it is more easily found by interested parties.

3. Feedback Report

PSE prefers written comments to oral comments, possibly for legitimate reasons. But the response to such comments comes only through the meeting’s Feedback Report, which is slow and less visible than oral comments. The Feedback Report is published without notice on a page deep in PSE’s planning

website. The publication date is frequently unclear or late. Except for RPAG members, it is not clear who actually reads these reports.

Furthermore, PSE's answers in the Feedback Report are frequently not helpful. When we ask detailed questions, PSE sometimes just thanks us or gives an unsatisfying two-sentence answer. Recently, the Feedback Report included a response from PSE that we found inadequate. We asked for additional information, or, failing that, an opportunity for us to briefly explain why a more detailed answer was needed. PSE refused this request, saying that some deadline of which we weren't aware had passed. Our further concerns were not included in the report. It felt like censorship.

What we really want is a discussion when PSE's answer is not sufficient. If we were allowed to engage in discussions during the RPAG meeting, then these issues might be resolved. PSE directs us to submit written comments instead but then refuses to engage in that medium.

We suggest that discussion be allowed in both RPAG meetings and the Feedback Report. If a commenter feels their issue has not been adequately answered, the Feedback Report should acknowledge that there is an open issue that should be discussed by RPAG members at the next meeting.

We are given only five working days to file our comments for the Feedback Report, while PSE has three times that long to provide answers. But sometimes we need to coordinate comments with several organizations, so the five-day deadline is very difficult for the public. We suggest a fairer division: give the public 10 working days to submit comments and allow PSE 10 working days to answer.

4. IAP2 levels

In the RPAG charter, PSE commits to disclosing the level of public participation it expects for each section of an RPAG meeting. PSE agreed to standardize on levels described by the International Association of Public Participation (IAP2). PSE has failed to name the level they are using in each of the three RPAG meetings held so far in 2025. Without these levels named, the public can't tell whether PSE just wants to inform us of their plans or whether the company wants input on difficult decisions.

5. RPAG agendas

Although PSE has polled RPAG members about what they want to talk about, the agenda and the overall process is determined by PSE. Our organizations and members of the public want to see significant progress on issues like electrification and reduction of emissions from natural gas. These big questions are being obscured because PSE sets the agenda and focuses on secondary issues that the company seems competent to resolve themselves.

How do RPAG members and the public regain some agency on critical issues related to the health of our planet, cost tradeoffs, technology preferences, and other big questions? There appears to be no mechanism for this, especially if PSE prefers to defer these discussions until it is too late to influence the ISP.

Can the UTC help the public regain some meaningful role in these critical decisions that affect us and future generations? Is this within the purview of the Commission, or the Public Counsel Unit? Do we need new laws to facilitate these improvements? Please let us know what the UTC can do and how we can be helpful. We are eager to see genuine public participation be used to improve energy planning in PSE's territory.

Summary of requested improvements

1. To maximize public participation, hold “hybrid” RPAG meetings online and in-person, with opportunities for the public to comment and participate in Q&A with PSE and RPAG members.
2. Provide links on the web page for each meeting to the recorded video so participants can view the meeting (or review any portion that interests them) at a later date.
3. If extra speaking privileges are granted to pre-approved members of the advisory group, applications to serve in the group should be approved by a neutral third party not controlled by the utility, thereby avoiding questions of bias or conflicts of interest.
4. All communications between the utility and advisory group members should be available to the public. The public should be allowed to make recommendations for consideration by the group, the utility, and regulators.
5. A commenter should be allowed to respond to answers provided by the utility in the written Feedback Report. If an issue is not resolved to the commenter’s satisfaction, this should be noted and discussed in a subsequent RPAG meeting.
6. The public should be allowed 10 working days to file comments for inclusion in the Feedback Report, leaving the utility 10 working days to respond. Commenters should be notified by email when the Feedback Report is available. Commenters should have a few working days to indicate whether they are satisfied with the utility’s response.
7. Every new section of an RPAG meeting should indicate the IAP2 participation level the utility wants to achieve for that section.
8. The RPAG should participate in the selection of topics, and especially the larger goals of the ISP effort. The RPAG and the public should have some meaningful role in the development of meeting agendas so that the public is served by the process as well as the utility.

Sincerely,

Don Marsh, Washington Clean Energy Coalition
Thomas Kraemer, Third Act Washington
Phil Ritter, 350 Eastside
Meghan Anderson, Kittitas Climate Action