

**WAC 480-106-070 System emergencies.** (1) **Qualifying facility obligation to provide power during system emergencies:** A qualifying facility may be required to provide energy or capacity to a utility during a system emergency only to the extent:

(a) Provided by agreement between the qualifying facility and utility; or

(b) Ordered under section 202(c) of the Federal Power Act.

(2) **Discontinuance of purchases and sales during system emergencies:** During any system emergency, a utility may, in a nondiscriminatory fashion, discontinue:

(a) Purchases from a qualifying facility if such purchases would contribute to such emergency; and

(b) Sales to a qualifying facility provided that such discontinuance is on a nondiscriminatory basis.

(3) System emergencies resulting in utility action under this chapter are subject to verification by the commission upon request by either party to the power contract.

[Statutory Authority: RCW 80.01.040, 80.04.160, and 34.05.220. WSR 19-13-031 (Docket U-161024, General Order R-597), § 480-106-070, filed 6/12/19, effective 7/13/19.]