

Jurisdiction report: unincorporated Pierce County, Washington

Data center rules in force and in motion · Prepared October 5, 2026 · Calyx Intelligence

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Bottom line

New and expanded data centers cannot be filed, processed or approved in unincorporated Pierce County for one year under an emergency moratorium passed 6-1 on August 25, 2026, unless the Council extends or lifts it. The Council holds a public hearing on it **October 20, 2026**, and county staff are drafting permanent data center regulations during the pause. No hyperscale application is pending. The moratorium does not reach the incorporated cities, which set their own rules. Power terms depend on the utility. In Tacoma Power territory, a new load of 10 average megawatts or more is served only by contract and priced at incremental cost; once it becomes a federal "New Large Single Load," Tacoma passes through the Bonneville Power Administration's higher New Resource rate. Puget Sound Energy is building a new process for requests over 20 MW. At the federal level, NERC has proposed that sites with 50 MW or more of connected load at 100 kV or above register as grid entities, with filings due to FERC December 31, 2026.

What is in force and in motion

Layer	Rule	What it does	Status	Basis
County	Emergency Ordinance 2026-577	Prohibits accepting, processing or approving applications for new and expanded data centers in unincorporated Pierce County for one year. Passed 6-1 (emergency ordinances need five of seven votes).	Adopted Aug 25, 2026; in effect on the Executive's signature	Read (county release)
County	Data center regulations	Planning & Public Works is drafting permanent rules during the moratorium; a public review page is open.	In development	Read (county release)
Utility	Tacoma Power Schedule VLL, Very Large Load Service (10 aMW or more)	Service only under a written power service agreement. Energy and demand charges at Tacoma's incremental cost of acquiring power. A customer that becomes a "New Large Single Load" under the Northwest Power Act is charged BPA's New Resource Firm Power rates, retroactively if billing lags.	In force (2025 schedule)	Read (tariff)
Utility	Tacoma Power Schedule NLL, New Large Load	New large loads under 10 aMW; the qualifying range was revised downward when Schedule VLL was created.	In force	Read (utility board resolution)
Utility	Puget Sound Energy large-load process	PSE reports rising requests over 20 MW, driven by data centers and tech campuses, and is developing a new large-load process.	In development	Read (PSE presentation, Apr 2, 2026)
State	RCW 82.08.986 and 82.32.534	Sales and use tax exemption for qualifying data centers, with an annual tax performance report naming construction firms and employment. Annual reports are public on request.	In force	Read (statute)
State	Washington Constitution Art. VIII, Sec. 7	Bars counties, cities and other municipal bodies from giving money or credit to private companies, which limits the incentives a county or public utility can offer.	In force	Read
Federal	FERC order RD26-7-000 and NERC proposed registry criteria	Sites with 50 MW or more of connected load at 100 kV or above would register as Computational Load Owners and Operators and comply with new reliability standards.	FERC order adopted July 16, 2026; NERC criteria proposed	Order reported; criteria read

Dated decisions ahead

Date	Decision	Basis
Oct 20, 2026	Pierce County Council public hearing on Emergency Ordinance 2026-577 (3 p.m.)	Read (county release)
Dec 31, 2026	NERC files computational load standards and registry criteria with FERC	Reported
Mar 1, 2027	NERC Phase II workplan due to FERC	Reported
About Aug 2027	County moratorium ends one year after taking effect, unless extended or lifted; exact date turns on the Executive's signature	Derived from the release

Conflicts and open questions

Item	What the record shows
Ordinance number	The county release cites Emergency Ordinance No. 2026-577; a councilmember's message the same day cites O2026-557. Recorded as stated; the ordinance itself resolves it.
Effective date	The county release first said the moratorium took effect immediately; the update the next day says it takes effect once the Executive signs it.
Definition and "expanded"	The release says the ordinance covers new and expanded data centers. The ordinance's definition of a data center, and whether expansion of an existing facility is measured by floor area or power, have not been read.
Tax exemption eligibility	Whether a site in Pierce County qualifies for the state data center exemption depends on the statute's location criteria, not confirmed for this county.
Basis for the emergency	A dissenting councilmember called the emergency declaration unjustified, saying there was no emergency. No legal challenge has been reported.

What it means for a site

A data center site in unincorporated Pierce County has no application path until the moratorium ends or is lifted. The October 20 hearing is the first point at which the Council could amend, extend or end it, and the draft regulations will set the terms that follow. A site inside a city is governed by that city's rules instead. Power cost is the largest variable: in Tacoma Power territory, a load of 10 average megawatts or more moves to contract pricing at incremental cost and, once it qualifies as a New Large Single Load, to BPA's New Resource rate, which a site budget should assume rather than Tacoma's standard schedules. Any campus of 50 MW or more connected at 100 kV or above should also plan for federal registration under the NERC criteria now pending.

Neighboring jurisdictions

Seattle adopted a one-year moratorium on large data centers in June 2026, and Federal Way adopted a 12-month moratorium on facilities of 1 MW or 4,000 square feet and above. Kittitas, Yakima and Skamania counties and Spokane County have also paused data center applications. All reported; see the register for each entry and its source.

How this was checked

Every item is tied to the document it came from and marked by basis: **Read** means the governing document or the issuing body's own record was read; **Reported** means the item comes from coverage and the document itself was not read; **Derived** means it follows from read records by calculation. Conflicts are shown, not resolved. Sources: Pierce County news release (Aug 26-27, 2026); Tacoma Power Schedule VLL (2025) and Public Utility Board Resolutions U-11413 and U-11414; Puget Sound Energy, "Data Centers: The Opportunity, The Risk, and The Reality" (Apr 2, 2026); RCW 82.08.986 and 82.32.534; Washington Constitution Art. VIII, Sec. 7; NERC August 2026 posting on Computational Load Owner and Operator; summaries of FERC Docket RD26-7-000. Full entries: register.calyxos.ai.

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