

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND  
TRANSPORTATION COMMISSION

Complainant,

v.

PUGET SOUND ENERGY

Respondent.

DOCKET UE-240729

ORDER 03

PREHEARING CONFERENCE  
ORDER AND NOTICE OF HYBRID  
EVIDENTIARY HEARING  
**(Set for September 3, 2025,  
at 9:30 a.m.)**

**BACKGROUND**

- 1 **NATURE OF PROCEEDING.** On September 30, 2024, Puget Sound Energy (PSE or Company) filed with the Washington Utilities and Transportation Commission (Commission) a proposed revision to rates under the established Colstrip Adjustment Rider Schedule 141COL. PSE requested a revenue increase of \$4.1 million, or 0.14 percent, which for the typical residential customer using 800 kWh per month would be a rate increase of \$0.18 or 0.16 percent. Under the initial filing, the rate increase became effective January 1, 2025.
- 2 On December 19, 2025, this matter came before the Commission on the Open Meeting calendar. Commission staff (Staff) raised concerns about a number of capital investments reflected in the filing that are potentially unrecoverable by law or imprudent for Washington ratepayers. The Commission entered Order 01 Complaint and Order Allowing Rates Subject to Later Review and Refund; Setting Matter for Adjudication in this docket, requiring PSE to file revised tariff pages no later than December 23, 2024, with an effective date of January 1, 2025, indicating that the increased rates are subject to refund.<sup>1</sup>
- 3 On February 27, 2025, Alliance of Western Washington (AWEC) filed its Petition to Intervene of the Alliance of Western Energy Consumers, arguing that it has a substantial

---

<sup>1</sup> On December 23, 2024, the Commission issued an errata to Order 01 and a revised Order 01. The revision did not affect the substantive terms or determinations in Order 01.

interest in this proceed based on its participation in the establishment of the Colstrip Adjustment Rider Schedule and the impact of proposed rate increases on AWEC members who purchase power from PSE.<sup>2</sup> AWEC further asserts that its participation in this proceeding is in the public interest because no other party will adequately represent the direct and substantial interest of its large energy consumer members.

4 On March 6, 2025, NW Energy Coalition (NVEC) filed its Petition to Intervene of NW Energy Coalition, arguing that it has a substantial interest in this proceeding based on its historic and ongoing work with utility companies to promote clean, reliable, affordable, and equitable energy future. NVEC also maintains that its participation in this proceeding is in the public interest because: 1) its members have a direct and substantial interest in PSE's request to pass Colstrip costs to customers; 2) the Colstrip investments relate to state climate and clean energy law, including the Clean Energy Transformation Act; and 3) the proceeding could affect PSE's ability to equitably distribute benefits and costs of providing energy service to customers. On March 6, 2025, NVEC also filed its NW Energy Coalition's Request for Case Certification and Notice of Intent to Request a Fund Grant.

5 On March 10, 2025, AWEC filed its Petition for Case Certification and Notice for Intent to Request Fund Grant of The Alliance Western Energy Consumers, notifying the parties and the Commission of its intent to seek a Fund Grant from the PSE Customer Representation Sub-Fund.

6 **CONFERENCE.** The Commission convened a virtual prehearing conference on March 12, 2025, before Administrative Law Judges Harry Fukano and Jessica Kruszewski.

7 **APPEARANCES.** Donna L. Barnett of Perkins Coie LLP, represents the Company. Nash Callaghan and Josephine R. K. Strauss represent Staff.<sup>3</sup> Tad Robinson O'Neill, Robert Sykes, and Jessica Johanson-Kubin represent the Public Counsel Unit of the Attorney General's Office (Public Counsel). Summer Moser and Michelle N. Madsen of Davison Van Cleve, P.C. represent AWEC. Yochanan Zakai of Shute, Mihaly &

---

<sup>2</sup> *Wash. Utils. & Transp. Comm'n v. Puget Sound Energy*, Dockets UE-220066 & UG-220067, (Consolidated), and Docket UG-210918 Order 24/10 (December 22, 2022).

<sup>3</sup> In formal proceedings such as this, the Commission's regulatory staff participates like any other party, while the Commissioners make the decision. To assure fairness, the Commissioners, the presiding administrative law judge, and the Commissioners' policy and accounting advisors do not discuss the merits of this proceeding with the regulatory staff, or any other party, without giving notice and opportunity for all parties to participate. See RCW 34.05.455.

Weinberger LLP, represents NVEC. Contact information for the parties' representatives is attached as Appendix A to this Order.

8     **PETITIONS FOR INTERVENTION.** AWEC and NVEC timely filed petitions to intervene. No party objected to their petitions. No new parties appeared at the prehearing conference seeking to intervene. As no party objected to the petitions to intervene, the Commission **GRANTS** both AWEC and NVEC's petitions to intervene.

9     **PROTECTIVE ORDER.** At the prehearing conference the parties requested a protective order. In response, the presiding administrative law judge granted that request and issued a protective order setting forth protective provisions on March 17, 2025, in Order 02 of this docket.

10    **DISCOVERY.** In order to facilitate an efficient resolution to this matter, discovery will be immediately available to the parties and shall be conducted under the Commission's discovery rules, WAC 480-07-400 – 425. The Commission urges the parties to work cooperatively together to avoid having to bring discovery matters forward for formal resolution.

11    Response times to data requests will be adjusted as set forth in Appendix B.

12    Additionally, the Commission believes it will aid discovery in this case if all responses to data requests are shared with all parties. No party objected to the Commission making the exchange of data request responses with all parties a requirement for discovery in this proceeding. Accordingly, the Commission requires the parties to share every data request response with all parties, subject to any confidentiality limitations contained in Commission rule and the protective order issued in this docket. To clarify, data requests and responses are not shared with the presiding officer unless those responses are offered as exhibits to be admitted into the record.

13    **PROCEDURAL SCHEDULE.** The parties presented competing procedural schedules at the prehearing conference. PSE noted that it needs 135 days to prepare the notice for public comment and Staff raised concerns about staggering the procedural schedule in consideration of other matters with that have statutory deadlines for the removal of coal from their rates at the same time. The Commission adopts the procedural schedule set forth in Appendix B attached to this Order. The parties may modify the date of the settlement conference by providing written notice to the Commission.

14 **INTERVENOR FUNDING.** At the prehearing conference, the presiding administrative law judges granted case certification status to AWEC and NVEC. Any proposed budgets are due April 11, 2025.<sup>4</sup>

15 **DOCUMENT FILING AND SERVICE REQUIREMENTS.** Parties must file and serve all pleadings, motions, briefs, and other pre-filed materials in compliance with all the following requirements:

- (a) Parties must submit electronic copies of all documents by 5 p.m. on the filing deadline established in the procedural schedule (or other deadline as applicable) unless the Commission orders otherwise. Parties must comply with WAC 480-07-140(6) in formatting, organizing, and identifying electronic files. Documents that include information designated as confidential must comply with the requirements in WAC 480-07-160 and the Protective Order in this docket. Documents filed with the Commission must conform to the formatting and other requirements in WAC 480-07-395 and WAC 480-07-460.
- (b) Parties must submit documents electronically through the Commission's web portal ([www.utc.wa.gov/e-filing](http://www.utc.wa.gov/e-filing)). If a party is unable to use the web portal to submit documents for filing, the Commission will accept a submission via email to [records@utc.wa.gov](mailto:records@utc.wa.gov) provided the email: (1) explains the reason the documents are not being submitted via the web portal, and (2) complies with the requirements in WAC 480-07-140(5)(b).
- (c) If any of the exhibits contain information designated as confidential, parties must file an electronic copy of the redacted version in searchable PDF (Adobe Acrobat or comparable software) of each such exhibit.
- (d) When filing testimony, exhibits, or post-hearing briefs, the filing party must submit five paper copies to the Commission within three business days of its electronic filing. This requirement does not apply to exhibits comprised of tables or worksheets more than five pages long. The Commission is otherwise suspending any requirements for paper copies. WAC 480-07-460.
- (e) Parties must electronically serve the other parties and provide courtesy electronic copies of filings to the presiding administrative law judges ([harry.o.fukano@utc.wa.gov](mailto:harry.o.fukano@utc.wa.gov)) and ([jessica.kruszewski@utc.wa.gov](mailto:jessica.kruszewski@utc.wa.gov)) by 5 p.m. on the filing deadline unless the Commission orders otherwise. Pursuant to WAC

---

<sup>4</sup> As discussed during the March 12, 2025, prehearing conference, given that there is a revised Intervenor Funding Agreement pending before the Commission for review, we will grant leave to amend any proposed budget requests to the extent necessary to conform with the terms approved by the Commission.

480-07-365(2)(c), all electronic documents submitted to the Commission must also be delivered to all parties and the presiding administrative law judge “at the same time” that the documents are submitted to the Commission or shortly thereafter. Please note as well that failing to provide a courtesy copy to the presiding administrative law judge may result in a delayed ruling on a motion or other filing. If parties are unable to email copies, they may furnish electronic copies by delivering them on a flash drive only.

- 16 **EXHIBITS FOR CROSS-EXAMINATION.** Parties are required to file with the Commission and serve all proposed cross-examination exhibits by **5 p.m. on August 27, 2025**. The Commission requires electronic copies in searchable PDF (Adobe Acrobat or comparable software). If any of the exhibits contain information designated as confidential, parties must file an electronic copy of the redacted version in searchable PDF (Adobe Acrobat or comparable software) of each such exhibit. The exhibits must be grouped according to the witness the party intends to cross-examine with the exhibits.
- 17 **EXHIBIT LISTS.** With each submission of pre-filed testimony and exhibits, the party making the submission must include a preliminary exhibit list that identifies each submitted exhibit in the format the Commission uses for exhibit lists it prepares for evidentiary hearings. Each party must file and serve a final list of all exhibits the party intends to introduce into the evidentiary record, including all pre-filed testimony and exhibits, as well as cross-examination exhibits by **5 p.m., August 27, 2025**.
- 18 **CROSS-EXAMINATION TIME ESTIMATES.** Each party must provide a list of witnesses the party intends to cross-examine at the evidentiary hearing and an estimate of the time that party anticipates the cross-examination of that witness will take. Parties should not file witness lists or cross-examination time estimates but must provide them to the administrative law judge (harry.o.fukano@utc.wa.gov) and (jessica.kruszewski@utc.wa.gov) and the other parties by email on **August 27, 2025, by 5:00 p.m.**
- 19 **NOTICE OF EVIDENTIARY HEARING.** The Commission will hold a hybrid evidentiary hearing in this docket on Wednesday, **September 3, 2025, at 9:30 am**. Parties may attend the hearing in person at the Commission’s headquarters or virtually via Zoom. To attend the hearing via Zoom, [click here to join meeting](#), or call (253) 215-8782 and enter the Conference ID: 851 5304 7658# and use the Passcode: 524427#.
- 20 **ALTERNATE DISPUTE RESOLUTION.** The Commission supports the informal settlement of matters before it. Parties are encouraged to consider means of resolving disputes informally. The Commission has limited ability to provide dispute resolution services. If you wish to explore those services, please contact Connor Thompson, Interim Director, Administrative Law Division (360-664-1139).

- 21 **NOTICE TO PARTIES: A party who objects to any portion of this Order must file a written objection within ten (10) calendar days after the service date of this Order, pursuant to WAC 480-07-430 and WAC 480-07-810. The service date appears on the first page of this Order, in the upper right-hand corner. Absent such objection, this Order will control further proceedings in this docket, subject to Commission review.**

DATED at Lacey, Washington, and effective March 26, 2025.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

/s/ Harry Fukano

HARRY FUKANO

Administrative Law Judge

/s/ Jessica Kruszewski

JESSICA KRUSZEWSKI

Administrative Law Judge

**APPENDIX A**  
**PARTIES' REPRESENTATIVES**  
**DOCKET UE-240729**

<b>PARTY</b>	<b>REPRESENTATIVE</b>	<b>PHONE</b>	<b>E-MAIL</b>
Utilities and Transportation Commission Staff	Nash Callaghan Josephine R. K. Strauss Office of the Attorney General Utilities and Transportation Division P.O. Box 40128 Olympia, WA 98504-0128	360-586-7777 360-709-4850	<a href="mailto:Nash.Callaghan@atg.wa.gov">Nash.Callaghan@atg.wa.gov</a> <a href="mailto:Josephine.Strauss@atg.wa.gov">Josephine.Strauss@atg.wa.gov</a>
Puget Sound Energy	Donna L. Bartnett Perkins Coie LLP 10885 N.E. Fourth Street Suite 700 Bellevue, WA 98004-5579	425-635-1419	<a href="mailto:DBartnett@perkinscoie.com">DBartnett@perkinscoie.com</a> <a href="mailto:PSEDRS@perkinscoie.com">PSEDRS@perkinscoie.com</a>
Public Counsel	Tad Robinson O'Neill Robert Sykes Jessica Johanson-Kubin Office of the Attorney General Public Counsel Unit 800 Fifth Avenue, Suite 2000 Seattle, WA 98104-3188	206-254-0570 206-389-2055 206-521-3211	<a href="mailto:Tad.ONeill@atg.wa.gov">Tad.ONeill@atg.wa.gov</a> <a href="mailto:Robert.Sykes@atg.wa.gov">Robert.Sykes@atg.wa.gov</a> <a href="mailto:Jessica.Johanson-Kubin@atg.wa.gov">Jessica.Johanson-Kubin@atg.wa.gov</a>
AWEC	Sommer J. Moser Michelle N. Madsen Davison Van Cleve, P.C. 107 SE Washington St., Suite 430 Portland, OR 97214	503-241-7242	<a href="mailto:sjm@dvclaw.com">sjm@dvclaw.com</a> <a href="mailto:mnm@dvclaw.com">mnm@dvclaw.com</a>
NWEC	Yochanan Zakai Schute, Mihaly & Weinberger LLP 396 Hayes Street San Francisco, CA 94102	415-552-7272	<a href="mailto:yzakai@smwlaw.com">yzakai@smwlaw.com</a>

**APPENDIX B  
PROCEDURAL SCHEDULE  
DOCKET UE-240729**

<b>EVENT</b>	<b>DATE</b>
Initial Filing	<b>September 30, 2024</b>
Prehearing Conference	<b>March 12, 2025</b>
Intervenor Funding Case Certification/ Notice of Intent to Seek Funding Grant	<b>March 12, 2025</b>
Intervenor Funding Proposed Budgets	<b>April 11, 2025</b>
PSE Initial Testimony and Exhibits	<b>April 16, 2025</b>
Settlement Conference (parties only)	<b>April 22, 2025</b>
Staff, Public Counsel, and Intervenor Response Testimony and Exhibits	<b>May 29, 2025</b>
Second Settlement Conference (parties only)	<b>June 10, 2025</b>
Notice Issued for Public Comment Hearing	To be determined (TBD) – at least 30 days before the Public Comment Hearing
Public Comment Hearing	<b>TBD</b>
Rebuttal and Cross Answering Testimony and Exhibits <sup>5</sup>	<b>July 9, 2025</b>
Discovery Deadline – Last Day to Issue DR	<b>August 15, 2025</b>
Exhibit Lists, Cross Exhibits, Witness Lists, Time Estimates, Exhibit Errata	<b>August 27, 2025</b>
Evidentiary Hearing	<b>September 3, 2025</b>
Post Hearing Briefs	<b>September 29, 2025</b>

---

<sup>5</sup> Response times to data requests are reduced to 7 business days as of this date.