**BEFORE THE**

**WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

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| WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION,  Complainant,  v.  Puget Sound EnergyPUGET SOUND ENERGY,  PSE  Respondent. | No. UE-151871 and UG-151872 (Consolidated)  **RESPONSE OF WASHINGTON STATE HEATING, VENTILATION AND AIR CONDITIONING CONTRACTORS ASSOCIATION’S (WSHVACCA) SUPPORT FOR COMMISSION STAFF’S MOTION FOR SUMMARY DETERMINATION** |

1. **INTRODUCTION**

Electric and Natural Gas

1. Intervenor Washington State Heating, Ventilation and Air Conditioning Contractors Association (WSHVACCA) supports the Commission Staff’s Motion for Summary Determination: the proposal by Puget Sound Energy (PSE) for a lease tariff is not properly a utility service that should be regulated by the Commission and PSE has failed to make a prima facie case that the proposed tariffed rates are fair, just, reasonable, and sufficient as required by Washington Law. WSHVACCA concurs with Commission Staff that it is appropriate for the Commission to grant a waiver on the requirements for timing of filing such a motion and on the need for expedited response.
2. **STATEMENT OF FACTS**
3. WSHVACCA also concurs in the Statement of Facts articulated by Commission Staff.
4. **ARGUMENT**
5. **The Commission Should Grant Staff’s Motion for Summary Determination Because PSE’s Proposed Lease Tariff Is Not Properly a Utility Service to Be Regulated by the Commission.**
6. WSHVACCA agrees with Commission Staff’s argument that the PSE Lease Tariff is not properly regulated by the Commission as a utility service. However, WSHVACCA also agrees with and endorses SMACNA-WW position as argued in its response brief.
7. **In the Alternative, the Commission Should Grant Staff’s Motion for Summary Determination Because PSE Has Not Made a Prima Facie Case That Its Rates Are Fair, Just, Reasonable, and Sufficient.**
8. WSHVACCA agrees with the argument of Commission Staff: PSE has not made a case that its proposed rates are fair, just, reasonable, and sufficient, as it is its burden to do. However, WSHVACCA also agrees with and endorses SMACNA-WW position as argued in its response brief.
9. **CONCLUSION**
10. Accordingly, the Commission should grant the Motion for Summary Determination filed by Commission Staff.

Respectfully submitted this 21st day of July, 2016.

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|  | By:  James L. King, Jr.  Government Affairs Director  120 State Ave NE #199  Olympia, WA 98501  Telephone: (360) 480-0038  Email: jimkingjr@yahoo.com  *Representative for Washington State Heating, Ventilation and Air Conditioning Contractors Association* |