

**BEFORE THE
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION,

Complainant,

v.

PUGET SOUND ENERGY,

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**

I. INTRODUCTION

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.

II. STATEMENT OF FACTS

2 WSHVACCA also concurs in the Statement of Facts articulated by Commission Staff.

III. ARGUMENT

A. 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.

3 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.


B. 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.

4 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.

IV. CONCLUSION

5 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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