

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION,

Complainant,

v.

PUGET SOUND ENERGY, INC.,

Respondent.

DOCKET NOS. UE-011570 AND
UG-011571 (CONSOLIDATED)

PUBLIC COUNSEL ANSWER TO
NORTHWEST INDUSTRIAL GAS
USERS MOTION FOR LEAVE TO
FILE CROSS-REBUTTAL

Public Counsel files the following answer to the motion of Northwest Industrial Gas Users (NWIGU) for Leave to File Cross-Rebuttal Testimony.

The motion appears premature. First, the parties are still engaged in settlement negotiations through July 31, 2002, pursuant to the schedule adopted in the Tenth Supplemental Order. Second, as Staff points out in its response, it's not possible to determine the ultimate alignment of the parties at this point in time. Public Counsel does not object to Staff's request that a ruling on the motion should be held in abeyance until after direct testimony is filed on August 30.

Public Counsel does not, however, object as a general principle to allowing cross-rebuttal. RCW 34.05.449 essentially requires that cross-rebuttal be allowed to the extent necessary for full disclosure of relevant facts and issues.

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Cross-rebuttal should only be allowed, however, to parties who file direct testimony.

DATED this 18th day of July, 2002.

CHRISTINE O. GREGOIRE
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