

**BEFORE THE WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION	:	DOCKETS UE-220066 and UG-220067
	:	
Complainant	:	
v.	:	AMENDED LATE-FILED PETITION
	:	TO INTERVENE OF THE FRED
PUGET SOUND ENERGY	:	MEYER STORES INC. AND QUALITY
Respondent	:	FOOD CENTERS, DIVISIONS OF THE
	:	KROGER CO.

Pursuant to WAC 480-07-355, the Fred Meyer Stores Inc. and Quality Food Centers, Divisions of The Kroger Co., (“Kroger”) hereby petitions the Washington Utilities and Transportation Commission (“Commission”) for leave to intervene in this proceeding, as an intervenor with full party status as described in WAC §480-07-340 and states in support as follows:

1. Name and Addresses of Petitioner:

The Kroger Co.
1014 Vine Street, G-07
Cincinnati, Ohio 45202

As required by WAC §480-07-145(2)(d), Kroger has provided this Petition by electronic mail.

2. Name and Address of Attorney and Consultants Representing Petitioner:

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All documents relating to this proceeding should be served in electronic format only at the above-referenced email addresses.

3. Identify the Petitioner:

Petitioner is a retail electric customer of Puget Sound Energy (“PSE”). Petitioner has approximately 66 grocery stores and other facilities that purchase their electric supply from PSE.

4. Petitioner’s Interest in this Proceeding:

Kroger is a corporation engaged in the business of selling groceries at retail throughout the United States. One of the largest retail food companies in the United States, Kroger operates approximately 130 grocery stores in the state of Washington under the Fred Meyer Stores, Inc. and Quality Food Center banners. Of that total, approximately 66 purchase their electric supply from PSE. These stores purchase more than 185 million kWh of electricity from PSE annually under various rate schedules and have a peak demand in excess of 27 MW. Petitioner is one of the largest commercial customers served by PSE. The grocery stores operated by Fred Meyer Stores, Inc. and Quality Food Centers are high load factor facilities that use energy for food storage, lighting, heating, cooling and distribution, often on a 24 hour a day, 7 day a week basis.

Accordingly, Petitioner has a substantial and vital interest in the outcome of this case which cannot be adequately represented by any other party.

5. Issues To Be Raised:

Petitioner will address whether the revenue requirement, cost allocation and rate design proposed by PSE are just and reasonable.

6. Testimony of Witnesses:

If Petitioner submits written direct testimony or exhibits, it will be prepared by Kevin Higgins, Principal and Justin Bieber, Senior Consultant in the firm Energy Strategies, LLC of Salt Lake City, Utah. Petitioner also intends to cross-examine the witnesses called by the other parties to this proceeding and to submit written briefs as appropriate.

7. Reason For Late-Filed Petition:

Pursuant to WAC 480-07-355(1)(b), Kroger has good cause for filing an untimely Petition to Intervene. Kroger was not aware of this proceeding until February 25, 2022 and counsel was not able to review the docket until March 2, 2022. On March 2, 2022, Kroger filed its Petition to Intervene in this docket, after the intervention deadline had passed. Kroger has no intention of unreasonably broadening the issues, burdening the record, or delaying the proceeding. Kroger will accept the procedural schedule as it is.

WHEREFORE, for the reasons set forth above, Petitioner respectfully requests that this Petition to Intervene be granted.

DATED this 2nd day of March, 2022.

Respectfully submitted,

/s/Kurt J. Boehm

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Jody Kyler Cohn, Esq.

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