

**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND)	DOCKETS UE-072300
TRANSPORTATION COMMISSION,)	and UG-072301 (<i>Consolidated</i>)
)	
Complainant,)	
)	ORDER 10
v.)	
)	GRANTING, IN PART, MOTION
PUGET SOUND ENERGY, INC.,)	TO REVISE HEARING SCHEDULE
)	AND BRIEFING SCHEDULE
Respondent.)	
)	
.....)	

MEMORANDUM

- 1 On June 23, 2008, Puget Sound Energy, Inc. (PSE), filed its Motion To Revise Hearing Schedule and Briefing Schedule. The motion states that PSE recently learned its principal cost of capital witness, Dr. Morin, will be out of the country during the week of August 25-29. Following consultation, the parties presenting evidence on this subject—Staff, Public Counsel and Industrial Customers of Northwest Utilities—have agreed that cross-examination of all five cost of capital witnesses should be scheduled for September 3 and/or 4, 2008. PSE proposes to substitute those hearing dates for the current half-day of hearing scheduled for August 28, 2008. According to PSE, this will resolve the concern over Dr. Morin’s unavailability during the last week of August and will allow additional time for hearing, which may be necessary due to the large number of witnesses, currently numbering 36, who have prefiled testimony and will be subject to cross-examination by multiple parties.

- 2 PSE’s motion states that Public Counsel requests a change to the briefing schedule to allow the cost of capital issue to be separately briefed on September 30, 2008, instead of being part of the post-hearing briefs currently scheduled for September 24, 2008. PSE states that it does not object to Public Counsel’s request and that the proposed modification to the briefing process and schedule “is appropriate to correspond to the new hearing date.”

- 3 PSE contends its proposed revisions will not prejudice the Commission or any other party. This apparently is true with respect to the parties. PSE states in its motion that all parties were informed in advance that PSE would request these changes and that no party objects to its motion. PSE's contention is incorrect, however, insofar as the Commission is concerned. The Commission can revise the hearing schedule as requested. However, postponing the briefing of a central component of the case until September 30, 2008, would disrupt the Commission's calendar for deliberations, which is relatively inflexible due to constraints imposed by other pending business.
- 4 Rather than deny PSE's motion insofar as it would have us revise the briefing process and schedule as Public Counsel has requested, we will carry that procedural question with the case for now. We may consider at the conclusion of the evidentiary proceeding whether it is appropriate to adjust the briefing schedule to allow an additional day or two for parties to brief separately the cost of capital issues.

ORDER

THE COMMISSION ORDERS:

- 5 (1) PSE's Motion To Revise Hearing Schedule and Briefing Schedule is granted, in part. The evidentiary hearing in this proceeding will begin on August 25, 2008, as currently scheduled. The hearing will continue thereafter on August 26, 27 and 29, and September 3 and 4, 2008, as necessary to complete cross-examination of all witnesses.
- 6 (2) PSE's request to revise the briefing process and schedule may be reconsidered at the conclusion of the evidentiary proceedings.

Dated at Olympia, Washington, and effective June 26, 2008.

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

DENNIS J. MOSS
Administrative Law Judge