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**BEFORE THE
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

**In the Matter of the Application of
PUGET SOUND ENERGY**

**For an Order Authorizing the Sale of
All of Puget Sound Energy’s Interests
in Colstrip Unit 4 and Certain of
Puget Sound Energy’s Interests in
the Colstrip Transmission System**

Docket UE-200115

**PUGET SOUND ENERGY’S
MOTION FOR CONTINUANCE
AND TO SHORTEN TIME**

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I. INTRODUCTION

4 *1.* Pursuant to WAC 480-07-385, Puget Sound Energy (“PSE”) asks that the
5 Commission continue the deadline for PSE to file rebuttal testimony and other
6 parties to the proceeding to file cross-answering testimony, each currently set for
7 October 22, 2020, to October 30, 2020. In response to requests from the parties in
8 this case, PSE is engaged in discussions with NorthWestern Energy and Talen
9 Montana, LLC (“Talen Montana”) and believes the outcome of those discussions
10 could materially impact the content of the rebuttal testimony of PSE and the
11 cross-answering testimony of other parties. To allow enough time for PSE,
12 NorthWestern Energy, and Talen Montana to engage in such discussions, good
13 cause exists to continue the rebuttal testimony deadline.

14 *2.* In addition, pursuant to WAC 480-07-110 and WAC 480-07-130(3), PSE
15 requests that PSE’s motion for continuance be heard on shortened time, in
16 advance of the current deadline of October 22, 2020.

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II. BACKGROUND AND ARGUMENT

3. On August 20, 2020, PSE filed supplemental direct testimony in this proceeding. On September 10, 2020, the Commission issued a Second Prehearing Conference Order setting a revised procedural schedule. Pursuant to that schedule, on October 2, 2020, Commission Staff, Public Counsel and the Intervenors in this proceeding filed testimony responding to supplemental testimony filed by PSE.

4. Paragraph 23 of the Second Prehearing Conference Order states as follows:

The parties should confer to establish a mutually agreeable date for a settlement conference and submit that date to the Commission, via email to Judge O’Connell, by **5 p.m. on September 25, 2020.**

In accordance with this paragraph, the parties established and conducted a settlement conference on October 14, 2020.

5. Pursuant to that settlement conference and in response to the response testimony filed by the parties, PSE has engaged in discussions with NorthWestern Energy and Talen Montana as to whether any potential changes to the Proposed Transactions are possible.

6. These discussions are ongoing, and PSE believes that the outcome of these discussions could impact the content of any rebuttal testimony that PSE would file and any cross-answering testimony that other parties may file in this proceeding, each of which is due on October 22, 2020. Given that PSE will have limited time between the date of the settlement conference (October 14, 2020) and the rebuttal testimony deadline (October 22, 2020), PSE believes it would be highly beneficial to all parties if the deadline for rebuttal and cross-answering testimony were

1 extended until October 30, 2020. Good cause exists for such an extension because
2 it would allow PSE time to continue discussions with NorthWestern Energy and
3 Talen Montana regarding concerns raised by the parties and have enough time to
4 incorporate the outcome of such discussions into testimony to be brought before
5 the Commission.

6 7. An extension will not prejudice any party or the Commission. PSE has
7 conferred with the parties to this proceeding. Each party has affirmed to PSE that
8 it does not oppose the continuance and has consented to PSE make this
9 representation to the Commission. No party opposes the continuance.

10 8. If PSE's motion were granted, the only material change to the schedule is
11 a reduction in the discovery period. However, the turnaround time for data
12 requests is currently three business days providing the parties sufficient time to
13 issue, if needed, several rounds of data requests to PSE. PSE is also willing to
14 slightly extend the discovery schedule to November 13, 2020, in which case PSE
15 will commit to responding to any such requests by November 16, 2020 (one
16 business day). A one-day adjustment to the deadline for Cross-Examination
17 Exhibits, Witness Lists, and Time Estimates to November 18, 2020, may also be
18 helpful. Aside from this, the procedural schedule can remain unchanged at this
19 time. Attached to Appendix A to this motion is a proposed adjustment to the
20 procedural schedule.

21 9. PSE further understands that, depending on the outcome of its negotiations
22 with NorthWestern Energy and Talen Montana, the Commission may need to
23 reconsider the procedural schedule, including the hearing date, which is currently

1 scheduled for November 23, 2020. Accordingly, PSE would additionally request
2 that (i) the parties to the proceeding convene a third settlement conference on
3 Wednesday, October 28, 2020, at which settlement conference, PSE can update
4 the other parties to the proceeding regarding the outcome of the discussions
5 among PSE, NorthWestern Energy, Talen Montana, and (ii) the Commission
6 convene a procedural status conference to follow the settlement conference on
7 Wednesday, October 28, 2020, at which procedural status conference, the parties
8 can request additional revisions to the procedural schedule, if any.

9 *10.* In sum, good cause exists to continue the deadline for rebuttal and cross-
10 answering testimony to October 30, 2020, to allow PSE time to confer with
11 NorthWestern Energy and Talen Montana regarding whether any changes to the
12 Proposed Transactions are possible. Such an extension will not harm the parties or
13 the Commission, but rather will help facilitate a better outcome in this proceeding.

14 **III. MOTION TO SHORTEN TIME PERIOD REQUIRED**
15 **FOR FILING MOTION FOR CONTINUANCE**

16 *11.* Under WAC 480-07-385(3), written motions for a continuance are due
17 five (5) business days in advance of the deadline the party requests to continue.
18 Here, five (5) business days is not possible because rebuttal and cross-answering
19 testimony is currently due on October 22, 2020. Accordingly, pursuant to
20 WAC 480-07-110(1) and WAC 480-07-130(3), PSE respectfully requests that the
21 Commission modify and shorten the time period required for filing a motion for
22 continuance. For the reasons set forth above, shortening the time period is in the
23 public interest. Moreover, no party will be harmed by the shortened time because

1 sufficient time still exists for parties to file a response to PSE’s motion for
2 continuance, which most parties have indicated that they do not oppose.

3 **IV. CONCLUSION**

4 *12.* For the reasons set forth above, PSE hereby requests that the Commission
5 (i) continue the deadline for filing of rebuttal and cross-answering testimony until
6 October 30, 2020, (ii) order a settlement conference among the parties to occur on
7 October 28, 2020, (iii) order a procedural status conference to occur after the
8 settlement conference on October 28, 2020, and (iv) if necessary, make the
9 adjustments to the procedural schedule described above. In addition, for the
10 reasons set forth above, PSE requests that the Commission grant PSE’s motion to
11 shorten time.

12 Dated: October 19, 2020.

13 **Respectfully submitted,**



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**APPENDIX A
PROPOSED PROCEDURAL SCHEDULE
DOCKET UE-200115**

EVENT	DATE
Puget Sound Energy Rebuttal Testimony and Exhibits; Staff, Public Counsel and Intervenor Cross-Answering Testimony and Exhibits	October 22, 2020 October 30, 2020
Discovery Deadline – Last Day to Issue Data Requests ¹	November 10, 2020 November 13, 2020
Cross Examination Exhibits, Witness Lists, and Time Estimates	November 17, 2020 November 18, 2020
Evidentiary Hearing	November 23, 2020

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¹ Any data requests issued to PSE after November 10, 2020, but before November 14, 2020, PSE will respond on or before November 16, 2020.