

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of	DOCKET UE-220216
PUGET SOUND ENERGY	
For Penalty Mitigation Associated with	ORDER 03
Service Quality Index No. 11-Electric	
Safety Response Time Annual	
Performance for Period Ending	GRANTING MOTION
December 31, 2021	

BACKGROUND

- 1 On March 29, 2022, Puget Sound Energy (PSE or Company) filed with the Washington Utilities and Transportation Commission (Commission) a Petition for Penalty Mitigation (Petition). The Petition requested that the Commission enter an order waiving the \$613,636 penalty associated with PSE's Service Quality Index No. 11-Electric Safety Response Time. The penalty resulted from PSE's failure to meet the 55-minute average benchmark for the arrival of an electric first responder following a customer service call.
- 2 On June 22, 2022, the Commission entered Order 02, Prehearing Conference Order; Notice of Hearing (Order 02) that, among other things, established a procedural schedule in this matter including dates for submitting witness lists and cross-examination estimates by March 15, 2023, and an evidentiary hearing on March 22, 2023.
- 3 On March 10, 2023, Commission staff (Staff) filed with the Commission a Joint Motion to Modify Procedural Schedule (Joint Motion) on behalf of the parties, requesting that the Commission (1) cancel the evidentiary hearing, (2) relieve the parties of the requirement to submit witness lists and cross-examination estimates, and (3) admit the prefiled testimony and exhibits previously submitted by the parties.

DISCUSSION

4 The Joint Motion is both a procedural and an evidentiary motion.¹ All evidentiary motions require an order from the Commission.² The parties state in the Joint Motion that

[a]fter considering the record, each of the parties has concluded that it has no need for oral cross-examination, and each will stipulate to the admission of the prefiled testimony and exhibits, and no party intends to submit cross-examination exhibits, making the evidentiary record complete in the eyes of the parties.³

5 The parties argue that “cancelling the hearing and admitting the prefiled exhibits will provide the Commission a sufficient evidentiary basis to determine the merits of PSE’s petition while at the same time allowing the parties to conserve the time and resources that would otherwise have gone into preparing for hearing.”⁴ We agree.

6 Thus, the Commission finds good cause to grant the parties’ Joint Motion. Accordingly, the Commission determines that the evidentiary hearing set for March 22, 2023, and the requirement to submit witness lists and cross-examination estimates by March 15, 2023, should be canceled, the prefiled testimony and exhibits should be admitted as requested, and this proceeding should proceed on a paper record.

7 The remainder of the procedural schedule remains unmodified. Initial briefs are due May 24, 2023, and reply briefs are due June 14, 2023. The updated procedural schedule is attached to this Order as Appendix A.

¹ WAC 480-07-375(1). The parties’ requests to cancel the evidentiary hearing and cancel the requirement to submit witness lists and cross-examination estimates are procedural. The parties’ stipulation to admit the prefiled testimony and exhibits is evidentiary.

² See WAC 480-07-375; WAC 480-07-385; WAC 480-07-810.

³ Joint Motion at 2, ¶ 4.

⁴ Joint Motion at 3, ¶ 8.

ORDER

8 THE COMMISSION grants the parties' Joint Motion to Modify Procedural Schedule.

DATED at Lacey, Washington, and effective March 13, 2023.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

/s/ *Andrew J. O'Connell*
ANDREW J. O'CONNELL
Administrative Law Judge

**APPENDIX A
PROCEDURAL SCHEDULE
DOCKET UE-220216**

EVENT	DATE
PSE's Petition for Mitigation	March 29, 2022
Prehearing Conference	June 21, 2022
PSE's Initial Testimony and Exhibits	August 19, 2022
Initial Settlement Conference	November 9, 2022
Staff and Public Counsel Response Testimony and Exhibits	December 2, 2022
PSE Rebuttal Testimony and Exhibits; Staff and Public Counsel Cross-Answering Testimony and Exhibits	February 17, 2023
Discovery Deadline – Last Day to Issue Data Requests	March 6, 2023
Initial Briefs	May 24, 2023
Reply Briefs	June 14, 2023