



STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION
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March 25, 2022

NOTICE OF POTENTIAL EX PARTE COMMUNICATION
(Rebuttal statements due April 1, 2022)

RE: *Washington Utilities and Transportation Commission v. Puget Sound Energy*,
Dockets UE-220066 and UG-220067 (*Consolidated*)

TO ALL PARTIES:

On January 31, 2022, Puget Sound Energy (PSE or Company) filed with the Washington Utilities and Transportation Commission (Commission) revisions to its currently effective Tariff WN U-60, Tariff G, Electric Service, and its currently effective Tariff WN U-2, Natural Gas.

On February 28, 2022, the Commission convened a virtual prehearing conference before administrative law judge Michael S. Howard.

On March 1, 2022, Fred Meyer Stores Inc. and Quality Food Centers, Divisions of The Kroger Co., (Kroger) filed a Petition to Intervene in this proceeding (Petition).

On March 2, 2022, the Commission issued a Notice of Opportunity to Respond to Kroger's Late-Filed Petition to Intervene.

On March 2, 2022, Kroger filed an Amended Petition to Intervene. The Commission subsequently received responses from PSE, Commission staff (Staff), and Public Counsel.

On March 16, 2022, the Commission issued Order 05, Granting Kroger's Amended Petition to Intervene.

On March 15, 2022, Front and Centered filed a Petition to Intervene in this proceeding.

On March 22, 2022, the Commission issued Order 07, Granting Front and Centered's Late-Filed Petition to Intervene.

On March 24, 2022, counsel for Staff telephoned Judge Howard to express concern that the Commission issued a notice of opportunity to respond to Kroger's Petition to Intervene but did not issue a similar notice in response to Front and Centered's Petition to Intervene. Counsel for Staff expressed concern that the parties were not treated in a consistent manner. Counsel for Staff attempted to ascertain whether Judge Howard decided not to issue a second notice or if that decision was made by someone else. Judge Howard explained that he reviewed WAC chapter 480-07 when Front and Centered filed its petition to intervene and determined, pursuant to WAC 480-07-355(2), that "[p]arties may respond to any petition to intervene" if they so choose. Judge Howard further explained that the Commission is not required to issue a notice of opportunity to respond to petitions to intervene. Immediately following the telephone call, Judge Howard determined it was appropriate to promptly notify the parties of this communication.¹

THE COMMISSION GIVES NOTICE That pursuant to WAC 480-07-310(4), any party in this docket may file a written rebuttal statement concerning the matters raised by counsel for Staff on March 24, 2022. Any such statement must be filed by April 1, 2022.

/s/ Michael Howard
MICHAEL HOWARD
Administrative Law Judge

¹ See Wa. Code of Judicial Conduct Rule 2.9(A)(1)(b) (requiring a judge to promptly disclose the contents of ex parte communications concerning procedural or administrative matters to the other parties).