

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

In the Matter of the Petition of)	DOCKET UE-061626
)	
)	ORDER 01
PUGET SOUND ENERGY, INC.)	
)	
)	PREHEARING CONFERENCE
)	ORDER
For a Declaratory Order on Schedule 74)	
and the Schedule74 Design Agreement)	NOTICE OF PREHEARING
between Puget Sound Energy, Inc. and)	CONFERENCE
the City of Tumwater)	(Set for December 14, 2006,
)	9:30 a.m.)
)	
.....)	

1 **NATURE OF PROCEEDING.** Docket UE-061626 involves a petition by Puget Sound Energy, Inc. (PSE) for a declaratory order interpreting PSE’s tariffs with regard to the conversion of certain electrical facilities from overhead to underground as part of a City of Tumwater (Tumwater) facilities relocation and conversion project

2 **CONFERENCE.** The Washington Utilities and Transportation Commission (“Commission”) convened a prehearing conference in this docket at Olympia, Washington on November 27, 2006, before Administrative Law Judge Theodora M. Mace.

3 **APPEARANCES.** James F. Williams and Donna L. Barnett, attorneys, Seattle, Washington, represent PSE. William H. Patton, attorney, Seattle, Washington, represents Tumwater. Robert Cedarbaum, Assistant Attorney General, Olympia, Washington, represents the Commission’s regulatory staff (Commission Staff or Staff).¹

¹ In formal proceedings, such as this case, the Commission’s regulatory staff functions as an independent party with the same rights, privileges, and responsibilities as any other party to the proceeding. There is an “*ex parte* wall” separating the Commissioners, the presiding Administrative Law Judge, and the Commissioners’ policy and accounting advisors from all parties, including Staff. RCW 34.05.455.

- 4 Contact information provided at the conference for the parties' representatives is attached as Appendix A to this order
- 5 **PETITIONS FOR INTERVENTION.** No party filed a petition to intervene in this proceeding. No oral petitions to intervene were made at the prehearing conference on November 27, 2006.
- 6 **PROTECTIVE ORDER.** The parties will discuss whether to request a protective order at the next prehearing conference on December 14, 2006.
- 7 **DISCOVERY.** PSE and Tumwater are drafting a statement of stipulated facts which they will file on December 11, 2006. If discovery is necessary, the parties will discuss the need for it at the December 14, 2006 prehearing conference.
- 8 **PROCEDURAL SCHEDULE.** The parties will establish a procedural schedule after they have developed a set of procedural facts. A procedural schedule will be set at the next prehearing conference on December 14, 2006.
- 9 **NOTICE OF PREHEARING CONFERENCE.** The Commission will hold a further prehearing conference on **December 14, 2006 at 9:30 a.m.** in Room 108, at the offices of the Commission in the Chandler Plaza Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.
- 10 **DOCUMENT PREPARATION AND FILING REQUIREMENTS.** Parties must file an original plus eight (8) copies of all pleadings, motions, briefs, and other prefiled materials. These materials must conform to the format and publication guidelines in WAC 480-07-395 and WAC 480-07-460. The Commission prefers that materials be three-hole punched with *oversized* holes to allow easy handling. The Commission may require a party to refile any document that fails to conform to these standards.

- 11 All filings must be mailed or delivered to the Executive Secretary, Washington Utilities and Transportation Commission, P.O. Box 47250, 1300 S. Evergreen Park Drive, S.W. Olympia, Washington 98504-7250. Both the post office box and street address are required to expedite deliveries by the U.S. Postal Service.
- 12 An electronic copy of all filings must be provided through the Commission's Web Portal (www.wutc.wa.gov/e-filing) or by e-mail delivery to <records@wutc.wa.gov>. Alternatively, parties may furnish an electronic copy by delivering with each filing a CE or a 3.5-inch IBM-formatted high-density diskette including the filed document(s). Parties should furnish electronic copies in .pdf (Adobe Acrobat) format, supplemented by a separate file in MS Word 6.0 (or later), or WordPerfect 5.1 (or later) format. Parties are required to follow WAC 480-07-140(5) in organizing and identifying electronic files.
- 13 **ELECTRONIC SUBMISSION OF DOCUMENTS.** Pursuant to WAC 480-07-145(6) the presiding officer may grant parties a one-day extension of the paper-filing requirement, allowing electronic submission of documents with the Commission on the filing deadline. Parties may only submit documents electronically with the Commission in this proceeding with the permission of the presiding officer. If, at any time during this proceeding, parties are authorized to submit documents with the Commission electronically under WAC 480-07-145(6), parties must submit the document through the Commission's Web portal (www.wutc.wa.gov/e-filing) or by e-mail to records@wutc.wa.gov, and file an original, plus eight (8) copies, of the document with the Commission by the following business day. Finally to perfect filing, parties must provide courtesy copies of filings to the presiding officer and advisory staff, as well as the parties to the proceeding.
- 14 **ALTERNATE DISPUTE RESOLUTION.** The Commission supports the informal settlement of matters before it. Parties are encouraged to consider means of resolving disputes informally. The Commission does have limited ability to provide dispute resolution services; if you wish to explore those services, please call the Director, Administrative Law Division, at 360-664-1142.

15 **NOTICE TO PARTIES:** Any objection to the provisions of this Order must be filed within ten (10) days after the service date of this Order, pursuant to WAC 480-07-430 and WAC 480-07-810. Absent such objection, this Order will control further proceedings in this matter, subject to Commission review. Parties must provide courtesy copies of filings to the presiding administrative law judge.

Dated at Olympia, Washington, and effective December 1, 2006.

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

THEODORA M. MACE
Administrative Law Judge

APPENDIX A

**PARTIES' REPRESENTATIVES
DOCKET UE-061626**

PARTY	REPRESENTATIVE	PHONE	FACSIMILE	E-MAIL
PSE	James F. Williams Donna Barnett Perkins Coie LLP 1201 Third Avenue, Suite 4800 Seattle WA 98101-3099	206-359-8000	206-359-4543	jwilliams@perkinscoie.com dbarnett@perkinscoie.com
Tumwater	William H. Patton Foster Pepper PLLC 1111 Third Avenue, Suite 3400 Seattle WA 98101-3299	206-447-7898	206-749-2108	pattw@foster.com
Commission Staff	Robert Cedarbaum Assistant Attorney General 1400 S. Evergreen Park Drive S.W. P.O. Box 40128 Olympia, WA 98504-0128	360-664-1188	360-586-5522	bcedarba@wutc.wa.gov