

1 BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION
2 COMMISSION

3 WASHINGTON UTILITIES AND)
4 TRANSPORTATION COMMISSION)
5 Complainant,) No. UE-930622
6 vs.) VOLUME 1
7 PUGET SOUND POWER &) PAGES 1 - 11
8 LIGHT COMPANY,)
9 Respondent.)
10 -----)

11 A hearing in the above matter was held on
12 July 9, 1993, at 8:35 a.m., at 1300 South Evergreen
13 Park Drive Southwest, Olympia, Washington, before
14 Administrative Law Judge ALICE L. HAENLE.

15 The parties were present as follows:

16 WASHINGTON UTILITIES AND TRANSPORTATION
17 COMMISSION STAFF, by SALLY G. BROWN, Assistant
18 Attorney General, 1400 South Evergreen Park Drive
Southwest, Olympia, Washington 98504.

19 PUGET SOUND POWER & LIGHT COMPANY, by
20 JAMES M. VAN NOSTRAND, Attorney at Law, 411 - 108th
Avenue Northeast, Bellevue, Washington 98004.

21 UNITED STATES DEPARTMENT OF DEFENSE, by
22 NORMAN FURUTA, Associate Counsel, 900 Commodore
Drive, Building 107, San Bruno, California 94066-2402.

23 WICFUR, by GRANT E. TANNER, Attorney at
24 Law, 1300 Southwest Fifth Avenue, Portland, Oregon
97201.

1 BONNEVILLE POWER ADMINISTRATION, by BARRY
2 BENNETT, Attorney at Law, 905 Northeast 11th,
3 Portland, Oregon 97312.

4 BUILDING OWNERS AND MANAGERS ASSOCIATION,
5 by JOHN CAMERON, Attorney at Law, 222 Southwest
6 Columbia, Suite 1800, Portland, Oregon 97202.

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Mary A. Hall, CSR, RPR

25 Court Reporter

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EXHIBITS:

MARKED

ADMITTED

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Mary A. Hall

25 Court Reporter CSR, RPR

(COLLOQUY)

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1 P R O C E E D I N G S

2 JUDGE HAENLE: The hearing will come to
3 order. This is the initial session in Docket
4 No. UE-930622 which is the PRAM 3 filing. The hearing
5 is taking place on July 9, 1993, at Olympia,
6 Washington, before Administrative Law Judge Alice L.
7 Haenle of the Office of Administrative Hearings.

8 I would like to take appearances, please,
9 at this time beginning with the counsel on behalf of
10 Puget Sound Power & Light Company.

11 MR. VAN NOSTRAND: James Van Nostrand with
12 the law firm of Perkins Coie, 411 - 108th Avenue
13 Northeast, Bellevue 98004.

14 JUDGE HAENLE: For the Commission.

15 MS. BROWN: Sally G. Brown, Assistant
16 Attorney General, 1400 South Evergreen Park Drive
17 Southwest, Olympia, Washington 98504.

18 JUDGE HAENLE: Thank you. Let's go around
19 the table beginning with Mr. Furuta.

20 MR. FURUTA: Good morning, Your Honor.
21 Norman J. Furuta, associate counsel. My address is
22 900 Commodore Drive, San Bruno, California 94066. And
23 I'm appearing on behalf of the consumer interest of
24 the Department of Defense in this proceeding.

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JUDGE HAENLE: Mr. Tanner.

(COLLOQUY)

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MR. TANNER: My name is Grant E. Tanner

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with the law firm of Davis Wright Tremaine, 1300

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Southwest Fifth Avenue, Portland, Oregon 97201.

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JUDGE HAENLE: Thank you. Mr. Bennett.

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MR. BENNETT: Barry Bennett representing

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Bonneville Power Administration, 905 Northeast 11th,

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Portland, Oregon 97312.

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JUDGE HAENLE: Thank you. Mr. Cameron.

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MR. CAMERON: Your Honor, good morning.

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I'm John Cameron appearing for the Building Owners and

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Managers Association with the law firm of Ater,

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Wynne, Hewitt, Dodson & Skerritt. We're at Suite

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1800, 222 Southwest Columbia, Portland, Oregon 97201.

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JUDGE HAENLE: Is there anyone else present

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in the hearing room that needs to enter an appearance

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this morning?

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The record should reflect no response.

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The things we're going to cover this

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morning include the petitions to intervene, and I have

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four of them. Please be sure that you have a copy of

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each other's petitions so that you will be able to

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comment on them if you have comments. I'll be giving

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you the schedule for the rest of the case and we'll be

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marking exhibits for identification.

25 Is there anything else that we need to

(COLLOQUY)

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1 cover this morning? Hearing no response, let's take
2 the petitions.

3 Let's begin with yours, Mr. Furuta. Do you
4 have anything to add to the written petition you
5 filed?

6 MR. FURUTA: No, I don't, Your Honor.

7 JUDGE HAENLE: Did anyone have comments on
8 the Department of Defense to intervene in this matter?

9 All right. With no adverse comments,
10 I'm going to grant the petition fully to intervene of
11 the Department of Defense. I feel they have
12 demonstrated an interest sufficient to allow them to
13 be an intervenor.

14 The second is WICFUR. Do you have anything
15 to add to your written petition, Mr. Tanner?

16 MR. TANNER: Only that the contact person
17 for everybody's list should be Peter J. Richardson.
18 That address is noted in the petition. He's in the
19 Boise, Idaho, office.

20 JUDGE HAENLE: Thank you. Does anyone have
21 any comments about the petition to intervene of WICFUR?

22 Hearing no response, I will grant the
23 petition to intervene for WICFUR. I believe they have
24 demonstrated an interest sufficient to allow them to

25 be an intervenor.

(COLLOQUY)

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1 Then the Bonneville Power Administration.
2 Do you have anything to add to your petition in this
3 action, Mr. Bennett?

4 MR BENNETT: No, I don't.

5 JUDGE HAENLE: Is there anyone who has a
6 comment about the petition to intervene of the
7 Bonneville Power Administration?

8 Hearing no response, I believe it has
9 demonstrated interest sufficient to allow it to be an
10 intervenor.

11 And finally filed this morning was a
12 petition from the Building Owners and Managers
13 Association of Seattle and King County.

14 Do you have anything to add to your
15 petition, Mr. Cameron?

16 MR. CAMERON: No, ma'am.

17 JUDGE HAENLE: Would you be the contact
18 person?

19 MR. CAMERON: I would.

20 JUDGE HAENLE: Anyone have a comment about
21 the petition of BOMA to intervene?

22 Hearing no response, I will grant the
23 petition. I believe BOMA has demonstrated an interest
24 sufficient to allow it to intervene in this matter.

25 Now, is there anyone else in the hearing

(COLLOQUY)

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1 room that intended to move to intervene in this matter
2 this morning? All right. I hear no response.

3 MR. TANNER: Just a question. I notice
4 public counsel isn't here. Are they participating?

5 JUDGE HAENLE: They will participate, I'm
6 sure, but Washington Natural Gas is going on and my
7 guess is they probably started early because they
8 needed the time, and I understood there would
9 potentially be a conflict with this opening session.

10 MR. TANNER: So Mr. Adams should be --

11 JUDGE HAENLE: Yes, he will be
12 participating, I'm sure. Please add him to your own
13 service list and to the list of people that must be
14 sent materials. Thank you for noting that,
15 Mr. Tanner.

16 All right. Before we went on the record, I
17 read you the schedule. I'll read it again just
18 briefly. The cross of the company testimony, August 2
19 and 3; prefiling of staff, intervenor and public
20 counsel experts, August 18; prefiling of company
21 rebuttal, August 26; and cross of Commission staff,
22 intervenor, public counsel expert and company rebuttal
23 testimony, September 1 and 2 and, if necessary,
24 September 3. They have also set public testimony for

25 9:30 in the morning on September 3. That tells me

(COLLOQUY)

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1 we'll probably just do that and then if we need the
2 slopover, we'll use the rest of the day on September 3
3 and then oral arguments on September 14. The company
4 has prefiled materials which includes the prefiled
5 testimony of Mr. Lauckhart plus nine experts.

6 Marking that for identification would
7 involve -- let's see. T-1 for identification would be
8 JRL-1 which is Mr. Lauckhart's prefiled testimony.
9 And then Exhibits 2 through 10 up in the upper
10 right-hand corner of each document has JRL-2, JRL-3
11 and et cetera. Just mark those 2 through 10, please.

12 (Marked Exhibits T-1, 2 through 10.)

13 Now, is there anything else we need to
14 discuss this morning, that we need to cover? All
15 right then.

16 MS. BROWN: Your Honor, there is one thing.
17 I think that we should invoke the discovery rule with
18 five-day turnaround time if possible.

19 JUDGE HAENLE: Anyone have any comment on
20 that, any problem with that?

21 I think you're right. This is probably a
22 formal enough case that we should have the discovery
23 rule invoked, and you're going to need to be as quick
24 as you can on that turnaround because of the shortness

25 of the schedule. Please be very, very aware of how

(COLLOQUY)

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1 short the schedule is.

2 MR. VAN NOSTRAND: Your Honor, if I could
3 have a comment, I guess I don't believe the five-day
4 turnaround time is necessary for the company's direct
5 case which has been on file since May 29 and which we
6 received a number of data requests already. I think
7 the five-day turnaround time is certainly necessary as
8 to the remainder of the case, opposing testimony and
9 rebuttal testimony, but I don't believe the five-day
10 turnaround time is necessary for the opening
11 testimony.

12 JUDGE HAENLE: Ms. Brown?

13 MS. BROWN: As you're aware, we're also in
14 the process of preparing to cross the company's
15 rebuttal case and the general rate case which has
16 taken up a considerable amount of Staff's time. I
17 think that if we're going to have a five-day
18 turnaround time, it should be uniformly applied across
19 the hearing schedule.

20 JUDGE HAENLE: I agree, Mr. Van Nostrand,
21 and would ask if you are not able to respond within
22 the five days that you let the party know and make
23 arrangements for whatever turnaround time you are able
24 to meet. I'm concerned about the close schedule we

25 have and the fact that we're running parallel with the

(COLLOQUY)

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1 other cases, as well.

2 Anything else we need to discuss? Yes,

3 sir.

4 MR. TANNER:: The number of copies we have

5 to file is original and 19?

6 JUDGE HAENLE: Original and 19, yes.

7 Anything else?

8 All right. The hearing will be adjourned.

9 The next time we meet will be for company cross.

10 (Hearing adjourned at 8:45 a.m.)

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