

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND  
TRANSPORTATION COMMISSION,

Complainant,

v.

PUGET SOUND ENERGY,

Respondent.

In the Matter of the Petition of

PUGET SOUND ENERGY

Petitioner,

For an Accounting Order Authorizing  
deferred accounting treatment of  
purchased power agreement expenses  
pursuant to RCW 80.28.410

WASHINGTON UTILITIES AND  
TRANSPORTATION COMMISSION,

Petitioner,

v.

PUGET SOUND ENERGY,

Respondent.

DOCKETS UE-240004 and UG-240005  
(*consolidated*)

THE ENERGY PROJECT'S RESPONSE  
TO MOTION TO CONSOLIDATE  
PROCEEDINGS

DOCKET UE-230810

DOCKET UG-230968

1            On May 8, 2024, the Staff of the Washington Utilities and Transportation Commission filed a Motion to Consolidate Proceedings (Motion to Consolidate) requesting that the Washington Utilities and Transportation Commission (Commission) consolidate Puget Sound

Energy's (PSE's or Company's) current general rate case<sup>1</sup> and PSE's pending Climate Commitment Act (CCA) filing.<sup>2</sup> In accordance with WAC 480-07-320 and 480-07-375(4), The Energy Project (TEP) hereby responds to the Motion to Consolidate. If the Commission decides to consolidate the proceedings, the Commission should limit the participation of parties that did not previously intervene in the rate case to issues concerning the CCA proceeding.

2 TEP does not take a position supporting or opposing consolidation. The Commission may consolidate proceedings in which the facts or principles of law are related. When considering whether to consolidate proceedings, the Commission contemplates whether consolidation would promote judicial economy and would not unduly delay resolution of one or all of the proceedings. TEP acknowledges that the proceedings contain facts or principles of law that are related, so the Commission has the discretion to approve or deny the motion based on if it believes that consolidation would promote judicial and administrative economy.

3 If the Commission decides to consolidate the proceedings, the Commission should limit the participation of parties that did not previously intervene in the rate case to issues concerning the CCA proceeding. The Commission typically requires parties to a general rate case to file a written petition to intervene three business days before the prehearing conference.<sup>3</sup> Petitions to intervene describe the petitioner's interest in the proceeding, and the petitioner's position with respect to matters in controversy, and whether the petitioners proposes to broaden the issues in the proceeding.<sup>4</sup> The "presiding officer may impose conditions upon the intervenor's

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<sup>1</sup> The Commission previously consolidated Docket UE-230810 with the general rate case dockets. WUTC v. Puget Sound Energy, Dockets UE-240004, UG-240005 & UE-230810, Order 03/01: Consolidating Dockets (March 29, 2024).

<sup>2</sup> Docket UG-230968.

<sup>3</sup> WAC 480-07-355(1)(a).

<sup>4</sup> WAC 480-07-355(1)(c).

participation in the proceedings, either at the time that intervention is granted or at any subsequent time.”<sup>5</sup> In general rate cases, the Commission often limits a party’s participation to the issue(s) concerning the interest which the party identified in their initial filings.<sup>6</sup>

4 Climate Solutions and Washington Conservation Action petitioned to intervene in the CCA proceeding, and identified their interest in Puget Sound Energy’s administration of rates, procedures, and programs authorized by the CCA.<sup>7</sup> Climate Solutions and Washington Conservation Action did not identify an interest in non-CCA topics, or petition for intervention in Puget Sound Energy’s general rate case. Thus their interest appears limited to issues concerning the CCA. Accordingly, TEP requests that if the Commission decides to consolidate the proceedings, it should also limit the participation of Climate Solutions and Washington Conservation Action to issues concerning the CCA.<sup>8</sup>

DATED: May 15, 2024

By: /s/ Yochi Zakai

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<sup>5</sup> RCW 34.05.443(2); see WAC 480-07-355(3).

<sup>6</sup> See, e.g., Dkts. UE-220066 & UG-220067, Order 03, Prehearing Conference Order, ¶¶ 5-25 (March 3, 2022).

<sup>7</sup> Dkt. UG-230968, Climate Solutions, NW Energy Coalition, and Washington Conservation Action’s Petition to Intervene, ¶¶ 5-6 (Dec. 18, 2023). TEP notes that the petition inaccurately states that Climate Solutions participated in the Company’s 2022 general rate case. *Id.* ¶ 6; Dkts. UE-220066 & UG-220067, Order 03, Prehearing Conference Order, ¶ 5 (March 3, 2022).

<sup>8</sup> TEP does not seek to limit participation of any existing parties to the rate case, including NW Energy Coalition, Front and Centered, or Sierra Club. TEP also has no objection to Earthjustice’s representation of all the environmental organizations in a consolidated proceeding.

\* Mr. Zakai is not a member of the State Bar of California.