BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION,

Complainant,

v.

PUGET SOUND ENERGY,

Respondent.

DOCKETS UE-220066 and UG-220067
PUYALLUP TRIBE OF INDIANS’
PROPOSED BUDGET

1. Pursuant to section 6.3 of the Washington Interim Participatory Funding Agreement (Interim Agreement)\(^1\) and Order 08 in this case, the Puyallup Tribe of Indians (Tribe) hereby submits its Proposed Budget.

2. The Commission granted the Tribe’s Request for Case Certification as a Prioritized Organization pursuant to sections 5.2.2 and 6.2 of the Interim Agreement.\(^2\)

\(^1\) In the Matter of the Petition of Puget Sound Energy, et al., Docket U-210595 Order 01 (February 24, 2022), Attachment A (Executed February 14, 2022).

\(^2\) See WUTC v. PSE, Dockets UE-220066 and UG-220067, Order 08 at ¶¶ 34 and 54 (March 24, 2022).
STATEMENT OF WORK TO BE PERFORMED

3. The Tribe has continued a retention of an outside law firm to perform general legal services, including reviewing documents, drafting materials (including filings with the UTC), conferring with counsel representing other parties, working with witnesses, and preparing for/participating in hearings. This same firm represented the Tribe in other litigation, which is not at issue here, but which resulted in a large amount of relevant document evidence regarding issues within this rate case, particularly with regard to the prudency of the Tacoma LNG facility. The documents produced in the other litigation are extremely complicated and voluminous, and continued representation by the same law firm is necessary as they hold discreet expertise with regard to the millions of pages of evidence that only a small portion of which will be relevant in this matter. Retention and use of this firm will be the most efficient way to present evidence for this proceeding.

4. The Tribe has three in-house attorneys that will, in addition to their numerous other duties representing the Tribe and providing legal counsel to the Tribe, participate at varying degrees in this case. The Tribe is not budgeting for the cost, which is not insubstantial, of the in-house attorneys as the Tribe is very aware of additional needs for funds from the limited funds available to all eligible parties.

5. The Tribe is also retaining two experts. The first expert participated in the past litigation that has given rise to relevant evidence for the prudency of the Tacoma LNG plant, and that expert will assist in the presentation of evidence in this matter. The second expert is an economic expert in assessing rates for both electric and gas utilities, and will assist the Tribe with analysis as to the prudency of the Tacoma Natural Gas Plant. The second expert is necessary because the Tribe does hold such expertise in house.
DESCRIPTION OF GENERAL AREAS TO BE INVESTIGATED

6. The Tribe intends to limit its investigation to the prudence of the Tacoma LNG Plant and related matters.

IDENTIFICATION OF SPECIFIC SUB-FUND AND ESTIMATE OF AMOUNT IN THAT ACCOUNT

7. As stated in its Request for Case Certification and Notice of Intent to Request a Fund Grant, the Tribe intends to request a Fund Grant from the Prioritized Organizations Sub-Fund of the Consumer Access Fund.

8. Pursuant to section 4.2 of the Interim Agreement, PSE shall make available $100,000.00 to the Prioritized Organizations Sub-Fund account each calendar year during the term of the Interim Agreement.3

9. The Tribe does not currently have information upon which to base an estimate of the amount of available funds in the account, but it has spoken with the other case-certified Prioritized Organization, and does not believe it is making an unreasonable request.

BUDGET

10. Pursuant to section 6.3 of the Interim Agreement, the Tribe has Attached as Exhibit A the standardized form approved by the Commission4, which contains a line-item accounting of the Tribe’s estimated outside counsel attorney’s fees and expert witness fees.

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3 See Interim Agreement, Section 4.2, Attachment A to Order 01, Docket U-210595 (Executed February 14, 2022).

4 See Exhibit A to the Interim Agreement.
11. The Tribe anticipates spending $72,700.00 on outside counsel Attorney Fees and $52,125.00 on Expert Witness fees and expenses for a total of $124,825.00 in outside costs in addition to its own staff attorney time.

12. The Tribe’s total fund request is for $75,000.00 recognizing that at least one other organization may be seeking funds from the Prioritized Organizations Sub-Fund. The Tribe anticipates that the Commission will apportion any available funding appropriately.

13. The Tribe respectfully requests the Commission to accept the Tribe’s Proposed Budget and issue an order granting a Fund Grant in the amount specified above.

Signed this 25th day of April, 2022.

PUYALLUP TRIBE OF INDIANS

s/ Lisa A.H. Anderson, WSBA #27877
s/ Alec S. Wrolson, WSBA #54076
Law Office, Puyallup Tribe of Indians
3009 East Portland Ave.
Tacoma, WA 98404
Phone: 253-573-7852; Fax: 253-680-5998
Email: lisa.anderson@puyalluptribe-nsn.gov
sam.stiltner@puyalluptribe-nsn.gov
alec.wrolson@puyalluptribe-nsn.gov

Attorneys for Appellant Puyallup Tribe of Indians
**EXHIBIT A**

**Form of Budget Request**

PUYALLUP TRIBE OF INDIANS Proposed Budget for Issue Fund Grant

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*Expert Witness Fees*

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**TOTAL:** $124,825

Total PUYALLUP TRIBE OF INDIANS Fund Request: $75,000.00