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VIA ELECTRONIC MAIL - [records@utc.wa.gov](mailto:records@utc.wa.gov)  
AND OVERNIGHT MAIL

April 13, 2017

Mr. Steven V. King, Executive Director  
Washington Utilities and Transportation Commission,  
1300 S. Evergreen Park Drive, S.W.  
P.O. Box 47250  
Olympia, Washington 98504-7250

Attn: Filing Center

**Re: Docket No. UE-170033/UG-170034 (Consolidated)**

Dear Mr. King:

Enclosed please find the original and eleven (11) copies of THE KROGER CO's CONFIDENTIALITY AGREEMENTS of counsel and experts witnesses: Kurt J. Boehm, Esq., Kevin Higgins, Courtney Higgins, Neal Townsend, Daniel Ramirez and Justin Bieber for filing in the above-referenced dockets. Please note that we also filed the above via electronic mail on same date.

By copy of this letter, all parties listed on the Certificate of Service have been electronically served. Please place this document of file.

Very Truly Yours,



Kurt J. Boehm, Esq.  
Jody Kyler Cohn, Esq.

**BOEHM, KURTZ & LOWRY**

MLKkew  
Enclosures  
cc: Certificate of Service

**EXHIBIT A (ATTORNEY AGREEMENT)**

AGREEMENT CONCERNING CONFIDENTIAL INFORMATION  
IN DOCKETS UE-170033 and UG-170034  
BEFORE THE  
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

I, KURT J. Boehm, as attorney in  
this proceeding for The KROGER CO (party to  
this proceeding) agree to comply with and be bound by the Protective Order entered by  
the Washington Utilities and Transportation Commission in Dockets UE-160228 and  
UG-160229, and acknowledge that I have reviewed the Protective Order and fully  
understand its terms and conditions.

KBoehm  
Signature

4/13/2017  
Date

36 E. Seventh St., Suite 1510  
Address Cincinnati, Ohio 45202

**EXHIBIT B (EXPERT AGREEMENT)**

AGREEMENT CONCERNING CONFIDENTIAL INFORMATION  
IN DOCKETS UE-170033 and UG-170034  
BEFORE THE  
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

I, KEVIN C. HIGGINS, as expert  
witness in this proceeding for THE KROGER CO. (a party to  
this proceeding) hereby agree to comply with and be bound by the Protective Order  
entered by the Washington Utilities and Transportation Commission in Dockets UE-  
160228 and UG-160229 and acknowledge that I have reviewed the Protective Order and  
fully understand its terms and conditions.

  
Signature

4.11.17  
Date

ENERGY STRATEGIES  
Employer  
215 S. STATE ST, SUITE 200  
SALT LAKE CITY, UT 84111  
Address

PRINCIPAL  
Position and Responsibilities

\*\*\*

The following portion is to be completed by the responding party and filed with the  
Commission within 10 days of receipt; failure to do so will constitute a waiver and the  
above-named person will be deemed an expert having access to Confidential Information  
under the terms and conditions of the protective order.

\_\_\_\_\_ No objection.

\_\_\_\_\_ Objection. The responding party objects to the above-named expert  
having access to Confidential Information. The objecting party shall file a motion setting  
forth the basis for objection and asking exclusion of the expert from access to  
Confidential Information.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**EXHIBIT B (EXPERT AGREEMENT)**

AGREEMENT CONCERNING CONFIDENTIAL INFORMATION  
IN DOCKETS UE-170033 and UG-170034  
BEFORE THE  
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

I, NEAL TOWNSEND, as expert witness in this proceeding for THE KROGER Co. (a party to this proceeding) hereby agree to comply with and be bound by the Protective Order entered by the Washington Utilities and Transportation Commission in Dockets UE-160228 and UG-160229 and acknowledge that I have reviewed the Protective Order and fully understand its terms and conditions.

[Handwritten Signature]  
Signature

APRIL 11, 2017  
Date

ENERGY STRATEGIES, LLC  
Employer  
215 S. STATE STREET, STE. 200  
SALT LAKE CITY, UT 84111  
Address

PRINCIPAL  
Position and Responsibilities

\*\*\*

The following portion is to be completed by the responding party and filed with the Commission within 10 days of receipt; failure to do so will constitute a waiver and the above-named person will be deemed an expert having access to Confidential Information under the terms and conditions of the protective order.

\_\_\_\_\_ No objection.

\_\_\_\_\_ Objection. The responding party objects to the above-named expert having access to Confidential Information. The objecting party shall file a motion setting forth the basis for objection and asking exclusion of the expert from access to Confidential Information.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**EXHIBIT B (EXPERT AGREEMENT)**

AGREEMENT CONCERNING CONFIDENTIAL INFORMATION  
IN DOCKETS UE-170033 and UG-170034  
BEFORE THE  
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

I, Courtney Higgins, as expert  
witness in this proceeding for The Kroger Co. (a party to  
this proceeding) hereby agree to comply with and be bound by the Protective Order  
entered by the Washington Utilities and Transportation Commission in Dockets UE-  
160228 and UG-160229 and acknowledge that I have reviewed the Protective Order and  
fully understand its terms and conditions.

Courtney Higgins  
Signature

4/11/17  
Date

Energy Strategies LLC  
Employer

215 S. State St, Ste. 200  
Salt Lake City UT 84111  
Address

Senior Consultant  
Position and Responsibilities

\* \* \*

The following portion is to be completed by the responding party and filed with the  
Commission within 10 days of receipt; failure to do so will constitute a waiver and the  
above-named person will be deemed an expert having access to Confidential Information  
under the terms and conditions of the protective order.

\_\_\_\_\_ No objection.

\_\_\_\_\_ Objection. The responding party objects to the above-named expert  
having access to Confidential Information. The objecting party shall file a motion setting  
forth the basis for objection and asking exclusion of the expert from access to  
Confidential Information.

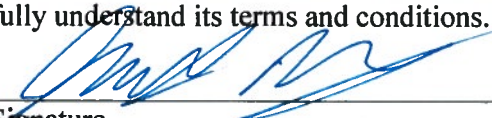
\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**EXHIBIT B (EXPERT AGREEMENT)**

AGREEMENT CONCERNING CONFIDENTIAL INFORMATION  
IN DOCKETS UE-170033 and UG-170034  
BEFORE THE  
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

I, Justin Bieber, as expert witness in this proceeding for The Kroger Co. (a party to this proceeding) hereby agree to comply with and be bound by the Protective Order entered by the Washington Utilities and Transportation Commission in Dockets UE-160228 and UG-160229 and acknowledge that I have reviewed the Protective Order and fully understand its terms and conditions.

  
Signature

4/11/17  
Date

Energy Strategies, LLC  
Employer

215 State St, Suite 200  
Address  
Salt Lake City, UT 84111

Sr. Consultant  
Position and Responsibilities

\* \* \*

The following portion is to be completed by the responding party and filed with the Commission within 10 days of receipt; failure to do so will constitute a waiver and the above-named person will be deemed an expert having access to Confidential Information under the terms and conditions of the protective order.

\_\_\_\_\_ No objection.

\_\_\_\_\_ Objection. The responding party objects to the above-named expert having access to Confidential Information. The objecting party shall file a motion setting forth the basis for objection and asking exclusion of the expert from access to Confidential Information.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**EXHIBIT B (EXPERT AGREEMENT)**

AGREEMENT CONCERNING CONFIDENTIAL INFORMATION  
IN DOCKETS UE-170033 and UG-170034  
BEFORE THE  
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

I, Daniel Ramirez, as expert witness in this proceeding for The Kroger Co. (a party to this proceeding) hereby agree to comply with and be bound by the Protective Order entered by the Washington Utilities and Transportation Commission in Dockets UE-160228 and UG-160229 and acknowledge that I have reviewed the Protective Order and fully understand its terms and conditions.

Daniel Ramirez  
Signature

4/11/2017  
Date

Energy Strategies, LLC  
Employer  
215 S. State St. #200  
Salt Lake City, UT 84111  
Address

Analyst  
Position and Responsibilities

\* \* \*

The following portion is to be completed by the responding party and filed with the Commission within 10 days of receipt; failure to do so will constitute a waiver and the above-named person will be deemed an expert having access to Confidential Information under the terms and conditions of the protective order.

\_\_\_\_\_ No objection.

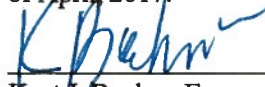
\_\_\_\_\_ Objection. The responding party objects to the above-named expert having access to Confidential Information. The objecting party shall file a motion setting forth the basis for objection and asking exclusion of the expert from access to Confidential Information.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a copy of the parties listed on the attached Certificate of Service by regular U.S. mail and electronic mail (when available) this 13<sup>th</sup> day of April, 2017.

A handwritten signature in blue ink, appearing to read "K. Boehm", is written over a horizontal line.

Kurt J. Boehm, Esq.  
Jody Kyler Cohn, Esq.



**MASTER SERVICE LIST**

**Docket #UE-170033/UE-170034**

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Intervenor

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