

BEFORE THE WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION

Bellingham Cold Storage Company)	
and Georgia-Pacific West, Inc.,)	
)	
Complainants,)	DOCKET NO. UE-001014
)	
v.)	SIXTH SUPPLEMENTAL ORDER
)	GRANTING CONTINUANCE
Puget Sound Energy, Inc.)	
)	
.....)	
..)	

Bellingham Cold Storage Company)	
and Georgia-Pacific West, Inc.,)	
)	
Complainants,)	DOCKET NO. UE-000735
)	
v.)	SIXTH SUPPLEMENTAL ORDER
)	GRANTING CONTINUANCE ¹
Puget Sound Energy, Inc.)	
)	
.....)	
..)	

- 1* **PROCEEDINGS:** These two dockets are being conducted jointly, but are not consolidated. Docket No. UE-000735 concerns a Formal Complaint filed by Georgia-Pacific West, Inc., on May 15, 2000.

- 2* Docket No. UE-001014 concerns a Formal Complaint, Request for Expedited Emergency Action, Including Waiver of Regular Notice Periods, Relating to Special Contract Transmission Obligations and Pricing Provisions, filed by Bellingham Cold Storage Company and Georgia-Pacific West, Inc., on June 29, 2000.

- 3* The Commission conducted a joint prehearing conference in these proceedings in Olympia, Washington, on July 19, 2000, before Chairwoman Marilyn Showalter, Commissioner Richard Hemstad, and Administrative Law Judge Dennis J. Moss. The Commission, following consultation with the parties, determined that Docket No. UE-001014 should be conducted in two phases. Phase one, concerning

¹ Supplemental order numbers in these proceedings continue in sequence without regard to whether prior orders in the series are captioned in only one of the two dockets that are being heard jointly.

allegations concerning energy pricing under certain Special Contracts, was set for expedited process. Subsequently, on August 15, 2000, the Commission dismissed phase one of the case on Complainants' motions for voluntary dismissal. *Bellingham Cold Storage Company and Georgia-Pacific West, Inc. v. Puget Sound Energy, Inc.*, Docket No. UE-001014, Fifth Supplemental Order Granting Voluntary Dismissal, Without Prejudice (August 15, 2000).

4 On August 17, 2000, the Commission noticed a prehearing conference for August 23, 2000, to establish a procedural schedule for phase two in Docket No. UE-001014 and for Docket No. UE-000735. On August 22, 2000, the Commission accepted for filing the Joint Motion of Complainants and Respondent to Continue Proceedings for 60 Days.

5 **MOTIONS:** This Order addresses the Joint Motion of Complainants and Respondent to Continue Proceedings for 60 Days. The Motion is unopposed.

6 **DISCUSSION AND DECISION:** Complainants and Respondent state that the purpose of their Joint Motion is to facilitate good faith settlement discussions. The settlement initiative is consistent with the requirements of the Commission's Order Directing Parties To Negotiate; Denying Motion, entered in Docket No. UE-001014 on July 31, 2000. Moreover, the Commission's rules state that voluntary settlement of disputes within its jurisdiction are favored (WAC 480-09-466), and that "[t]he Commission supports parties' efforts to resolve disputes without the need for litigation when doing so is lawful and consistent with the public interest." WAC 480-09-465. Finally, the Commission's rule concerning continuances provides that "[a] first agreed request [for continuance], timely made, will be granted unless it is inconsistent with the public interest or commission administrative needs." WAC 480-09-440.

7 The Commission heard the Joint Motion in the duly noticed prehearing conference conducted before Administrative Law Judge Dennis J. Moss on August 23, 2000. Following consultation with the parties, ALJ Moss determined that the requested continuance should be conditioned on the parties committing to file a joint status report on October 9, 2000 (i.e., approximately 45 days into the continuance period) and again reporting the status of their settlement efforts on October 23, 2000. If a full or partial settlement is achieved before these dates, or if an impasse is declared, the parties should inform the Commission by letter or proper motion. Once settlement is achieved, or an impasse declared, the Commission will establish appropriate process and a procedural schedule to be followed to bring these matters to a prompt conclusion consistent with the requirements of law.

8 The Commission finds that granting this agreed continuance is consistent with the public interest. Accordingly, the Joint Motion is granted, subject to the conditions stated in this Order.

ORDER

- 9 THE COMMISSION ORDERS That the Joint Motion of Complainants and Respondent to Continue Proceedings for 60 Days is GRANTED.
- 10 THE COMMISSION ORDERS FURTHER That the Complainants and Respondents are required to file a joint status report on October 9, 2000, updating the Commission on their progress toward settlement. The parties also are required to report the status of their settlement efforts on October 23, 2000.
- 11 **NOTICE TO PARTIES:** Any objection to the provisions of this Order must be filed within ten (10) days after the date of mailing of this statement, pursuant to WAC 480-09-460(2). Absent such objections, this prehearing conference order will control further proceedings in this matter, subject to Commission review and such further orders as are appropriate.

DATED at Olympia, Washington, and effective this 24th day of August, 2000.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DENNIS J. MOSS,
Administrative Law Judge