

Docket No. TP-190976 - Vol. II

**Washington Utilities and Transportation Commission v.
Puget Sound Pilots**

March 30, 2020



206.287.9066 | 800.846.6989

1325 Fourth Avenue, Suite 1840, Seattle, Washington 98101

www.buellrealtime.com

email: info@buellrealtime.com



BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND) DOCKET TP-190976
TRANSPORTATION COMMISSION,)
))
Complainant,)
))
vs.)
))
PUGET SOUND PILOTS,)
))
))
Respondent.)

TELEPHONIC STATUS CONFERENCE, VOLUME II

Pages 28-54

ADMINISTRATIVE LAW JUDGE RAYNE PEARSON

March 30, 2020

11:00 a.m.

Washington Utilities and Transportation Commission
621 Woodland Square Loop Southeast
Lacey, Washington 98503

REPORTED BY: TAYLER GARLINGHOUSE, CCR 3358

Buell Realtime Reporting, LLC
1325 Fourth Avenue, Suite 1840
Seattle, Washington 98101
(206) 287-9066 | Seattle
(360) 534-9066 | Olympia
(800) 846-6989 | National
www.buellrealtime.com

1 A P P E A R A N C E S

2 ADMINISTRATIVE LAW JUDGE:

3 RAYNE PEARSON

4

5

6 FOR COMMISSION STAFF:

7 HARRY FUKANO

SALLY BROWN

8 Assistant Attorneys General

PO Box 40128

9 Olympia, Washington 98504

(360) 664-1193

10 (360) 664-1225

harry.fukano@utc.wa.gov

11 sally.brown@utc.wa.gov

12

13 FOR PUGET SOUND PILOTS:

14 DAVE WILEY

BLAIR FASSBURG

15 Williams Kastner

601 Union Street, Suite 4100

16 Seattle, Washington 98101

(206) 628-6600

17 dwiley@williamskastner.com

bfassburg@williamskastner.com

18

19 FOR PACIFIC MERCHANT
20 SHIPPING ASSOCIATION:

STEVE BLOCK

21 Foster Garvey PC

1111 - 3rd Avenue, Suite 3000

22 Seattle, Washington 98101

(206) 447-7273

23 steve.block@foster.com

24

25

1 A P P E A R A N C E S (Cont.)

2 FOR PACIFIC YACHT
3 MANAGEMENT:

4 MONIQUE WEBBER
5 Pacific Yacht Management
6 2284 West Commodore Way, Suite 120
7 Seattle, Washington 98199
8 (206) 849-7676
9 monique@pacificyachtmanagement.com
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1 LACEY, WASHINGTON; MARCH 30, 2020

2 11:00 A.M.

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

5

6 JUDGE PEARSON: So let's be on the record.

7 Good morning. We're here today for a telephonic status
8 conference in Docket TP-190976 in response to the joint
9 motion filed by Puget Sound Pilots, Staff, and Pacific
10 Yacht Management and Pacific Merchant Shipping
11 Association's response thereto.

12 My name is Rayne Pearson. I'm the
13 administrative law judge presiding with the
14 Commissioners over this matter.

15 So let's just start by taking short
16 appearances beginning with Puget Sound Pilots.

17 MR. WILEY: Yes, Your Honor. Good morning.
18 Dave Wiley and Blair Fassburg for Puget Sound Pilots.

19 JUDGE PEARSON: Thank you.

20 And for Commission Staff?

21 MR. FUKANO: Good morning, Judge Pearson.
22 This is Harry Fukano, Assistant Attorney General, here
23 with Sally Brown on behalf of Commission Staff.

24 JUDGE PEARSON: Okay. And for PMSA?

25 MR. BLOCK: Good morning, Your Honor. Steve

1 Block, Foster Garvey, filling in for PMSA.

2 JUDGE PEARSON: Okay. And for Pacific Yacht
3 Management?

4 MS. WEBBER: This is Monique Webber for
5 Pacific Yacht Management.

6 JUDGE PEARSON: Okay. Thank you.

7 So first I'd like to, Mr. Block, just ask
8 you about your response that indicated that there's some
9 ongoing discovery disputes that might be hindering your
10 ability to complete your responsive testimony. Did you
11 want to discuss that at all?

12 MR. BLOCK: Well, I can, Your Honor, and
13 that does play into the general stepping stance that
14 we'd like adjusted in how the matter is scheduled. You
15 know, we have quite a few data requests out to which we
16 received what we believe are inadequate or inappropriate
17 responses. And counsel are working pretty, you know,
18 extensively on it. We've -- we've had a very lengthy
19 phone call, go to meetings where we're looking at
20 documents, and I would assume we would exchange
21 correspondence that goes to each of the concerns.

22 You know, I believe we are on a path to
23 getting some or all of the disputes resolved, but I
24 don't know how long it's going to take, and I don't know
25 whether it's going to completely resolve all of the

1 issues.

2 The documents and information we need and we
3 requested are -- are data requests, are essential for
4 our witnesses to, you know, derive their -- their
5 testimony. And, you know, my hope is that we could get
6 it resolved. I did think we had a productive phone
7 call, but if can't, then that -- we would necessitate
8 motion practice that we would have to file with Your
9 Honor to either have this -- the issue resolved.

10 So I don't know how long that process will
11 take, and regardless of the situation and the
12 implications with the pandemic and the lockdown, you
13 know, that will play into when we can get our -- our
14 testimony prepared.

15 JUDGE PEARSON: Okay. Thank you.

16 And I forgot to ask the parties, if -- if I
17 don't address you by name and you do start speaking,
18 please just identify yourself for the court reporter's
19 benefit.

20 So as you're all aware, the Commission
21 strongly prefers that the parties work together
22 cooperatively to resolve any discovery disputes. I'd
23 like to strongly encourage the parties to do their best
24 to continue working together and avoid bringing those
25 disputes to me to the best of their abilities.

1 So that brings us to the proposed schedule
2 changes. Have the parties had the opportunity to
3 discuss at all? I know it was only on Friday that I
4 mentioned the only available hearing dates in August
5 right now were August 12th and 13th. If we want to --
6 why don't we just go around starting with the Puget
7 Sound Pilots, and if you could let me know if you had an
8 opportunity to discuss those dates and whether those
9 work for you.

10 MR. WILEY: Yes, Your Honor. Dave Wiley. I
11 wanted to indicate that I had talked -- we talked over
12 the weekend to our clients, and we -- we want to
13 understand what you said, which is that August 12th full
14 day and August 13th, which is an open meeting date,
15 would be the only two days available around that window.
16 We -- and this is just, you know, kind of how our wheels
17 have been turning, we're willing to consider something
18 somewhat shorter than the six-week interval to schedule
19 that hearing if you have dates available --

20 JUDGE PEARSON: I don't, that's the problem.
21 Literally for the month of August, that is it, and July
22 is a complete mess so we've --

23 MR. WILEY: Wow.

24 JUDGE PEARSON: -- got NARUC and conferences
25 and the Commissioners gone for most of July and other

1 hearings already scheduled.

2 MR. WILEY: So we do have some concern, Your
3 Honor, and I think you probably foresaw this, with -- we
4 have 11 witnesses on our own. We don't know how many
5 PMSA and PYM are going to have, but, you know, it's --
6 it's a concern that -- that one and three-quarters day
7 might be a problem. So, you know, we've got logistical
8 issues obviously and we wanted to talk about those
9 today.

10 Sorry, my dog, once again, is screwing up a
11 call. I'll try to get him out of here.

12 JUDGE PEARSON: My dog may do the same. I'm
13 just forewarning you all.

14 So I just -- I just wanted to say, I don't
15 know if this eases your concerns at all, but the -- the
16 open meeting should be short. I think probably we could
17 go long on the first day or the second day if we needed
18 to. There's also a possibility -- I -- I have to figure
19 it out with the Commissioners' calendars, there's a
20 possibility we could carry over for a couple of hours on
21 Friday, the 14th, if we needed to. It's just that one
22 of the Commissioners has their calendar completely
23 blocked out that day, so I need to figure out what's
24 going on with that.

25 But I do think that it's likely to be a

1 short open meeting. I mean, we can also -- we have the
2 option to convene early on the 12th, we could start at
3 8:30 if we wanted to. I think we have options to work
4 around making sure that we get two full hearing days'
5 worth of time given those date restrictions.

6 MR. WILEY: Okay. Your Honor, I mean, from
7 our standpoint, the improvisation would be helpful. We
8 just, you know, are worried because of the volume of the
9 case.

10 JUDGE PEARSON: And -- and I totally
11 understand that. So we -- we would definitely work to
12 accommodate that. If we had to stay late, we -- like I
13 said, we could stay late. We've certainly done that
14 before, and I know these are unprecedented times and
15 it's -- it's very hard to figure out how to manage
16 everything right now, but I think that most likely we
17 can -- we can work it out. I mean, you know me, I've
18 stayed in the hearing room for -- for ten hours before,
19 so I think we can -- we can probably figure out a way to
20 get it done.

21 So let's hear now from Staff about those
22 dates.

23 MR. FUKANO: And this is Harry Fukano for
24 Commission Staff. Commission Staff is available for
25 August 12th and 13th, and I'm currently trying to

1 confirm whether we would have a similar availability if
2 an extension was needed for the 14th.

3 JUDGE PEARSON: Okay. Thank you.

4 And for PMSA?

5 MR. BLOCK: Yes, Judge. Steve Block for
6 PMSA. I am essentially stand-in counsel for sharing
7 running between mid March and mid June. Michelle
8 DeLappe is the primary counsel for PMSA in this matter.
9 She is on leave. I sent the email Your Honor sent
10 around inquiring about that date range, and I didn't
11 hear back from her. I don't think she's at least not
12 always in range of, you know, cell service so that she
13 can get an email.

14 So I don't know for sure. I can't, you
15 know, go on record to say for sure that she's available
16 during that date range. I don't have any reason to
17 think she would not be, and that is, you know, a couple
18 of months after she requested leave. But, you know,
19 that's -- that's about as good as I can do right now. I
20 think it would probably be okay, but I can't confirm it
21 because I'm just not the lead.

22 JUDGE PEARSON: Okay. And that makes sense.

23 And, Ms. Webber, how about for PYM?

24 MS. WEBBER: I don't have a problem with it.
25 The only problem is I don't have a -- a globe that

1 allows me to see what my August is going to be like and
2 what my two potential witnesses' August is going to be
3 like, as we are yacht agents, and with the current
4 situation, we could either be so busy we don't have time
5 off or we could be deader than a doornail.

6 So as of right now, I don't have an issue
7 with it, I just can't foresee what this summer is going
8 to be like.

9 JUDGE PEARSON: Sure, and I think that's
10 probably true for all of us right now. So we'll just --
11 we're going to act as if the building will be back up
12 and running and that the -- the hearing will be able to
13 occur. But I do want to just emphasize that this is a
14 hearing that cannot be conducted telephonically or
15 virtually. I think everyone would agree with that just
16 given the -- the -- the novelty of it, the number of
17 witnesses, the number of parties, so we'll just do the
18 best that we can.

19 All right. So the only issue really in
20 dispute between the parties is the deadline for filing
21 responsive testimony, which three parties proposed to
22 extend until May 16th, and PM SA has made an alternative
23 request that has a couple of different versions to it.

24 So I just want to be up front and tell you
25 all my thoughts about it. I'm inclined to push the

1 entire schedule forward by six weeks, which aligns with
2 the proposed dates for rebuttal and cross-answering
3 testimony of July 8th, but would push the response
4 testimony date forward to June 3rd, and this is for a
5 couple of different reasons.

6 So first, it gives the parties additional
7 time to resolve discovery disputes and relieve the
8 pressures that PMSA and frankly all of us are facing
9 right now.

10 And second, just to be very transparent, the
11 Commissioners and I are not going to be able to turn our
12 attention to the responsive testimony on May 16th with
13 everything going on right now in the way in which our
14 schedules have already been rearranged.

15 And then third, I don't believe that pushing
16 that forward prejudices the other parties. The current
17 schedule gives Puget Sound Pilots five weeks between
18 responsive and rebuttal testimony and pushing the date
19 forward to June 3rd would provide them and the other
20 parties with the same five-week window of time without
21 potentially prejudicing PMSA due to the unpredictable
22 circumstances that we're all facing right now.

23 So I'd like to hear your thoughts on that
24 beginning with Mr. Wiley.

25 MR. WILEY: Judge Pearson, we -- we're

1 certainly focused on the rebuttal and cross-answering
2 interval. We were always worried about that being kind
3 of a tight period. If there's any days that you could
4 extend that by, you know, bumping a few days, I think it
5 would help us and that also would help Staff and PMSA on
6 the cross-answering interval.

7 I did want to say in reference to your
8 opening comments about discovery, that we don't believe
9 that tying any extension, and it sounds like you're not
10 aligned with that either, to discovery ruling is
11 practical. Just so you know, Your Honor, we're up to
12 our third -- 334th data request to us. We have been
13 timely on all responses and we understand if there is
14 a --

15 JUDGE PEARSON: Mr. Wiley, we lost you.

16 MR. BLOCK: Hello? Steve Block here. Is
17 anybody else there?

18 JUDGE PEARSON: Yes, Judge Pearson is still
19 here. Can you hear me?

20 MR. BLOCK: Okay. I hear you, Judge
21 Pearson.

22 JUDGE PEARSON: Okay. Mr. Wiley, are you
23 still on the line?

24 UNIDENTIFIED SPEAKER: It seems that
25 Mr. Wiley accidentally disconnected himself or was

1 disconnected.

2 JUDGE PEARSON: Okay. So let's just give
3 him a second to rejoin. I just sent him an email
4 letting him know that we lost him, so hopefully he'll be
5 back on soon.

6 Mr. Fassburg, are you there?

7 MR. FASSBURG: I am.

8 JUDGE PEARSON: Okay. And I assume that
9 you're not in the same physical location as Mr. Wiley.

10 MR. FASSBURG: No, he -- he's at home at his
11 home and I'm at home at my home as far as I understand.
12 He's -- he prefers to work in the office, but I know
13 he's a little concerned about Coronavirus and I think
14 he's working from home, and I -- I don't know if he's
15 got any issues with his cell phone reception or landline
16 or whatever he's using.

17 JUDGE PEARSON: Oh, it looks like --

18 MR. WILEY: I'm in now.

19 JUDGE PEARSON: Okay.

20 MR. WILEY: I'm on. Sorry, folks.

21 JUDGE PEARSON: Okay. So if you could
22 just -- I -- I don't know if you kept talking after you
23 were disconnected.

24 MR. WILEY: I probably did. I love to hear
25 myself talk. So where did -- where did I leave off,

1 Your Honor?

2 JUDGE PEARSON: Tayler, could you tell us
3 what's the last thing you heard, please?

4 (Requested section read.)

5 MR. WILEY: If there's -- thank you. If
6 there's a dispute regarding the -- the data requests and
7 we have to bring it before Judge Pearson, that, based on
8 past experience, she'll be very prompt in resolving. So
9 I don't believe timing -- any hearing date or any
10 hearing schedule to discovery disputes would be prudent.

11 JUDGE PEARSON: Okay. Can you kind of
12 summarize what your overall position was, though? You
13 said something at the beginning about bumping the dates
14 and I didn't quite catch it. I'm sorry.

15 MR. WILEY: I -- as I recall, I -- I was
16 pointing out that if we could bump or add on a few dates
17 to the rebuttal schedule, in other words, get --
18 stretching it closer to six weeks, I think it would help
19 Staff and PMSA on cross-answering, and it would
20 certainly help us in getting data requests turned around
21 and our rebuttal witness testimony down. Because
22 that -- that first period, and Jeff Goltz pointed out,
23 is -- is really unusually tight for rebuttal or at -- at
24 least on the shorter side.

25 JUDGE PEARSON: You mean the five weeks?

1 MR. WILEY: Yeah. It's -- I -- I thought I
2 counted 29 days originally, but, Your Honor, I don't
3 have the schedule from the prehearing conference order
4 in front of me.

5 JUDGE PEARSON: Yeah, the original -- the
6 original time frame was five weeks, and so by moving
7 everything forward six weeks, it would still be five
8 weeks.

9 MR. WILEY: Yeah, I mean, if -- if we could
10 split the difference, that would be great because any
11 time we can add on that would be very useful. I think
12 it would provide a bit more comprehensive record in
13 terms of cross-answering as well as rebuttal.

14 JUDGE PEARSON: Okay. So and what -- what
15 is Staff's position?

16 MR. FUKANO: Staff at this point would be
17 comfortable or, you know, would not oppose a global
18 six-week extension. I think based on kind of our agreed
19 letter with PSP and PYM, we would not be opposed to
20 some -- to an additional extension as proposed by PSP to
21 the reply testimony as -- that's what I gathered they
22 were requesting.

23 And so Staff I think at this point is
24 tentatively all right with -- with the extension as
25 proposed by ALD and having that -- requests by PSP.

1 JUDGE PEARSON: Okay. Okay. And,
2 Mr. Block?

3 MR. BLOCK: Steve Block here. I -- I
4 suppose with some caveats, this would be okay with PMSA.
5 And by that I mean we -- we don't know where we're going
6 to be one month, two months, three months from now. I
7 mean, we could still be under a lockdown order on June
8 3rd or later. And so what I would like to propose is
9 that there be some mechanism in whatever order Your
10 Honor issues that this can be revisited, these
11 deadlines, if the -- the pandemic and the lockdown
12 orders given by President Trump or Governor Inslee
13 continue in some form.

14 You know, there's -- there's so much
15 uncertainty in this thing that, you know, by agreeing on
16 record that -- that two months from this week would be
17 adequate time, you know, it -- it -- it -- it causes me
18 concerns just because of the uncertainty. That was the
19 first point I would like to make.

20 You know, it's -- it's -- under the current
21 schedule as it is now, April 22nd, that's three weeks
22 from today or three weeks from, yeah, this week, you
23 know, approximately. And we would be okay with that
24 deadline, three weeks from the time that we get
25 satisfactory data request responses from PSP. If that

1 works out fine by counsel being able to resolve their
2 disputes, then -- and if the lockdown is -- the lockdown
3 orders are rescinded in the relatively near term, we
4 would be fine with June 3rd.

5 But this is, again, so much uncertainty
6 that, you know, if -- if we have to file a motion to
7 compel because we can't resolve these issues and Your
8 Honor's not able to address those motions until the end
9 of May or something -- so my point is, is that
10 conceptually June 3rd and the other deadlines that Your
11 Honor was suggesting are fine with PMSA if we could
12 please have an understanding that PMSA may have to
13 revisit those if we remain unable to connect with our
14 witnesses, unable to review, you know, the many bankers
15 boxes of documents we have because we're in our offices,
16 et cetera.

17 I'm -- I'm not exactly sure how you would
18 craft that, but perhaps just have a -- a date some weeks
19 from now in which we will have an opportunity to submit
20 our positions in letters to Your Honor and Your Honor
21 can order another status conference, if necessary, and
22 just rule from, you know, circumstances that are
23 apparent at that time or whatever. I -- I just don't
24 want to be completely bound by agreement to June 3rd
25 come what may in the future.

1 JUDGE PEARSON: And I hear your concerns,
2 and I agree that things are completely uncertain right
3 now, and I would put a caveat in the order just to ease
4 everyone's minds this is subject to change depending on
5 the nature of the -- the Covid-19 shutdown and
6 everything that's going on. So and, you know, we always
7 have the ability at any point in time to modify
8 procedural schedules based on changing circumstances.

9 MR. BLOCK: Okay.

10 JUDGE PEARSON: As far as -- you know, I
11 will certainly take under advisement your request to
12 time it based on getting the discovery disputes
13 resolved. I'm not inclined to go that direction. I'd
14 rather just pick a date and then adjust it later if we
15 need to based on, you know, a number of possible things
16 that could come up. And so that's how I'm feeling at
17 this point in time.

18 But, Ms. Webber, I'd like to hear from you
19 now.

20 MS. WEBBER: Good morning, Your Honor. I
21 don't have any issues with the dates proposed by Puget
22 Sound Pilots. I believe we all kind of understand that
23 this is influx and we're going with the best situation
24 forward. The only thing I would have to say, and maybe
25 it's just because I'm very new to UTC procedures, when I

1 received the phone call, I did not understand that it
2 was PSP asking for date changes. I assumed or what I
3 heard was that these were date changes that UTC was
4 proposing to us or had decided for us.

5 So I -- I don't have any issue with the date
6 changes, I was just a little surprised when the
7 paperwork came and it was a PSP-driven request and not a
8 UTC-driven request.

9 JUDGE PEARSON: Oh, okay. So just so you
10 know, I did have procedural conversations only with
11 attorneys both for PSP and for PMSA just about how to
12 respond to this, and they indicated that they would be
13 filing a motion, but it was not driven by -- by the UTC,
14 because the -- the Pilots had to extend their effective
15 date, and they're the only ones who can extend their
16 effective date, we can't do that. So it was really
17 incumbent upon them to file a motion, and that's why it
18 happened the way that it did.

19 But there were conversations notifying me
20 that it was coming, asking me about potential dates in
21 August, that information was conveyed, but those were,
22 like I said, procedural conversations only. So I did
23 have a heads-up that something was going to be filed,
24 but I didn't know what it was going to look like,
25 whether everyone would be in agreement, et cetera.

1 And so I responded to that by setting up
2 this call because I thought that would make the most
3 sense to just get together and have a conversation and
4 see if we could come to an agreement without having
5 to -- parties filing responses back and forth to make
6 less work for all of us.

7 MS. WEBBER: And -- and I completely
8 understand. I just -- I think I was thrown off because
9 I got the call from a UTC staffer, and so in my head, I
10 said, oh, well, the UTC needs to move these. But we're
11 fine -- we're fine with the dates because I think we all
12 understand these are goals and they may have to move a
13 little depending on world circumstances.

14 JUDGE PEARSON: Okay. So I will take this
15 all under advisement, and I -- I will need to speak with
16 the Commissioners before I issue an order modifying the
17 procedural schedule. But what I want to say is that at
18 this point -- sorry, I just got distracted by something
19 and I lost my thought.

20 But, Ms. Webber, I did want to let you know
21 that you -- and I think you do know this because you and
22 I have had conversations before that the Administrative
23 Procedure Act allows parties to ask questions of the
24 presiding administrative law judge. So you're always
25 welcome to ask me procedural questions as well.

1 MR. WILEY: Your Honor, can I ask a
2 question? I just -- there was some confusion on the
3 part of this being an agreed continuance, and I just
4 wanted to underscore because some of the intervenors
5 seemed confused. When we talk about the Commission
6 negotiating, that's the Commission Staff. No one is
7 implying that an agreement with the Staff and PSP and
8 PYM is what the Commission decides. I think there was
9 some confusion on that score, and I wanted everybody to
10 understand that.

11 JUDGE PEARSON: Okay. I'm not sure I
12 understood what you just said.

13 MR. WILEY: Yes, Your Honor, apparently one
14 of the -- the representations I was not involved was
15 that the Commission had agreed to this continuance,
16 and -- and I just wanted to -- to distinguish that from
17 the Commission Staff agreeing to the continuance.

18 JUDGE PEARSON: Okay. Thank you. Yeah,
19 that makes sense.

20 So, again, what I will do is I will -- I'll
21 speak to the Commissioners. One of the concerns that I
22 have about giving more than five weeks for responsive
23 testimony is that that shortens time on our end to
24 prepare for the hearing, and considering that we have
25 other major hearings happening in July and we've got

1 rulemaking going on that as of right now schedules have
2 not been modified for those, that I'm not -- I'm not
3 sure, and, again, I will talk with the Commissioners,
4 but I -- I don't think that we can give ourselves and
5 our policy team fewer than five weeks between when
6 rebuttal testimony comes in and the actual hearing date.
7 It will just be too much pressure on our staff.

8 So with that caveat, I think the only thing
9 that I need to resolve are the scheduling matters, and
10 it sounds like everyone's okay with pushing the response
11 testimony deadline forward to June 3rd unless,
12 Mr. Wiley, you wanted to make a proposal to make that a
13 week earlier to give you an extra week.

14 MR. WILEY: Your Honor, that's exactly --

15 JUDGE PEARSON: Is that what you meant by
16 pushing the June 3rd date back?

17 MR. WILEY: Yes, it is. I --

18 JUDGE PEARSON: Oh, okay.

19 MR. WILEY: So we -- we would like an
20 adjustment on that side if you can adjust it on the
21 other side, Your Honor, just keeping in mind that we
22 have -- our case has been filed since November 20th, and
23 we're working through a lot of data requests, but we're
24 on time and on schedule from our end. And -- and as you
25 know, these -- these -- this group has not had an

1 adjustment to their rates since July 1, 2015.

2 JUDGE PEARSON: So, Mr. Block, hearing that,
3 and -- and, again, given all of the caveats that I have
4 given before, which is that of course this is all
5 subject to change because everything is so very
6 uncertain right now, would you have any objection to
7 moving the response testimony deadline to May 27th, a
8 week earlier than June 3rd?

9 MR. BLOCK: Certainly it makes more -- it
10 more difficult on us, Your Honor. The ball is in our
11 court. We have to prepare, you know, with the next
12 deadline coming up while the lockdown keeps us from
13 working on it in earnest. It also means that we're
14 going to have less time to resolve the discovery
15 disputes and which may require a motion -- make the
16 motion more likely if we have less time, you know, to
17 have this sorted out.

18 On the other hand, one week is not that
19 much. I'm concerned about, you know, where we will be a
20 month from now or, you know, six weeks from now. If
21 we're still unable to get the work from this if it's,
22 you know, one week shorter before our response testimony
23 is due, it makes it more likely that we're going to have
24 to ask for more time, but, you know, I will defer to
25 Your Honor on that.

1 JUDGE PEARSON: Okay. So I will, again,
2 like I said, take this under advisement and speak to the
3 Commissioners, and then I will issue an order that -- in
4 the procedural schedule that also acknowledges the
5 extension of the suspension date until December 4th.

6 So is there anything else that we need to
7 address today or that anyone would like to address? And
8 just, again, with the caveat that if you're going to
9 speak up, please identify yourself for the court
10 reporter.

11 MR. FUKANO: And this is Harry Fukano on
12 behalf of Commission Staff. Commission Staff I think
13 would also be -- be fine or we would support a five-week
14 extension in lieu of a six-week extension. Your Honor,
15 did you have a sense of when you might have a -- any
16 kind of ruling on the procedural schedule?

17 JUDGE PEARSON: Probably by tomorrow.

18 MR. FUKANO: Okay. Appreciate the
19 clarification.

20 JUDGE PEARSON: It's -- it's just a matter
21 of connecting with the Commissioners, which I have
22 scheduled meetings with two of the three of them today,
23 so it shouldn't be a problem.

24 MR. FUKANO: Thank you.

25 JUDGE PEARSON: Anything else?

1 Okay. Hearing nothing, I appreciate so much
2 that you all participated in this, which was our -- I
3 think our first foray into doing a fully telephonic
4 hearing with a court reporter, but I'm not a hundred
5 percent sure. We'll be doing a lot more of those here
6 in the future, but I appreciate everyone's
7 participation. I think it went really smoothly.

8 And, again, I will issue an order within the
9 next couple of days, and I wish you all well and thank
10 you all for being here today, and we're adjourned.

11 (Adjourned at 11:34 a.m.)

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C E R T I F I C A T E

STATE OF WASHINGTON

COUNTY OF THURSTON

I, Tayler Garlinghouse, a Certified Shorthand Reporter in and for the State of Washington, do hereby certify that the foregoing transcript is true and accurate to the best of my knowledge, skill and ability.

Tayler Garlinghouse

Tayler Garlinghouse, CCR 3358



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