

Docket No. TP-190976 - Vol. II

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

March 30, 2020



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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
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1 LACEY, WASHINGTON; MARCH 30, 2020
2 11:00 A.M.
3 --o0o--

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 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 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 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 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 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 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

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<p>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</p>	<p>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?</p>
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<p>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,</p>	<p>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.</p>

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 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 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 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 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 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 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 CERTIFICATE

2
3 STATE OF WASHINGTON
4 COUNTY OF THURSTON

5
6 I, Tayler Garlinghouse, a Certified Shorthand
7 Reporter in and for the State of Washington, do hereby
8 certify that the foregoing transcript is true and
9 accurate to the best of my knowledge, skill and ability.

10
11 
12 Tayler Garlinghouse, CCR 3358



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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A	<p>anybody 40:17 apparent 45:23 apparently 49:13 appearances 31:16 appreciate 52:18 53:1,6 approximately 44:23 April 44:21 asking 47:2,20 Assistant 29:8 31:22 ASSOCIATION 29:19 Association's 31:11 assume 32:20 41:8 assumed 47:2 attention 39:12 Attorney 31:22 attorneys 29:8 47:11 August 34:4,5,13 34:14,21 36:25 38:1,2 47:21 availability 37:1 available 34:4,15 34:19 36:24 37:15 Avenue 28:22 29:21 avoid 33:24 aware 33:20</p> <hr/> <p style="text-align: center;">B</p> <p>back 37:11 38:11 41:5 48:5 50:16 ball 51:10 bankers 45:14 based 42:7 43:18 46:8,12,15 beginning 31:16 39:24 42:13 behalf 31:23 52:12 believe 32:16,22 39:15 40:8 42:9 46:22 benefit 33:19</p>	<p>best 33:23,25 38:18 46:23 54:9 bfassburg@willi... 29:17 bit 43:12 Blair 29:14 31:18 Block 29:20 31:25 32:1,7,12 37:5,5 40:16,16,20 44:2 44:3,3 46:9 51:2,9 blocked 35:23 bound 45:24 Box 29:8 boxes 45:15 bring 42:7 bringing 33:24 brings 34:1 Brown 29:7 31:23 Buell 28:21 building 38:11 bump 42:16 bumping 40:4 42:13 busy 38:4</p> <hr/> <p style="text-align: center;">C</p> <p>C 29:1 30:1 31:4 54:1,1 calendar 35:22 calendars 35:19 call 32:19 33:7 35:11 47:1 48:2,9 carry 35:20 case 36:9 50:22 catch 42:14 causes 44:17 caveat 46:3 50:8 52:8 caveats 44:4 51:3 CCR 28:20 54:12 cell 37:12 41:15 certainly 36:13 40:1 42:20 46:11 51:9 Certified 54:6 certify 54:8</p>	<p>cetera 45:16 47:25 change 46:4 51:5 changes 34:2 47:2 47:3,6 changing 46:8 circumstances 39:22 45:22 46:8 48:13 clarification 52:19 clients 34:12 closer 42:18 come 45:25 46:16 48:4 comes 50:6 comfortable 43:17 coming 47:20 51:12 comments 40:8 Commission 28:2,4 28:17 29:6 31:20 31:23 33:20 36:24 36:24 49:5,6,8,15 49:17 52:12,12 Commissioners 31:14 34:25 35:22 39:11 48:16 49:21 50:3 52:3,21 Commissioners' 35:19 Commodore 30:4 compel 45:7 Complainant 28:5 complete 32:10 34:22 completely 32:25 35:22 45:24 46:2 48:7 comprehensive 43:12 conceptually 45:10 concern 35:2,6 concerned 41:13 51:19 concerns 32:21 35:15 44:18 46:1 49:21</p>	<p>conducted 38:14 conference 28:10 31:8 43:3 45:21 conferences 34:24 confirm 37:1,20 confused 49:5 confusion 49:2,9 connect 45:13 connecting 52:21 consider 34:17 considering 49:24 Cont 30:1 continuance 49:3 49:15,17 continue 33:24 44:13 convene 36:2 conversation 48:3 conversations 47:10,19,22 48:22 conveyed 47:21 cooperatively 33:22 Coronavirus 41:13 correspondence 32:21 counsel 32:17 37:6 37:8 45:1 counted 43:2 COUNTY 54:4 couple 35:20 37:17 38:23 39:5 53:9 course 51:4 court 33:18 51:11 52:9 53:4 Covid-19 46:5 craft 45:18 cross-answering 39:2 40:1,6 42:19 43:13 current 38:3 39:16 44:20 currently 36:25</p> <hr/> <p style="text-align: center;">D</p> <p>D 31:4</p>
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