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1 BEFORE THE WASHINGTON UTILITIES AND
2 TRANSPORTATION COMMISSION

3 BELLINGHAM COLD STORAGE)
4 COMPANY AND GEORGIA-PACIFIC)
5 WEST, INC.,)
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9 GEORGIA-PACIFIC WEST, INC.,)
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15 A prehearing conference in the above matters
16 was held on August 23, 2000, at 1:30 p.m., at 1300 South
17 Evergreen Park Drive Southwest, Olympia, Washington,
18 before Administrative Law Judge DENNIS MOSS.

19 The parties were present as follows:

20 PUGET SOUND ENERGY, INC., via bridge line by
21 Mark Quehrn, Attorney at Law, 411 - 108th Avenue
22 Northeast, Bellevue, Washington 98004.

23 GEORGIA-PACIFIC WEST, INC., via bridge line by
24 John Gould, Attorney at Law, 601 Southwest Second
25 Avenue, Portland, Oregon 97204.

26 Joan E. Kinn, CCR, RPR

27 Court Reporter

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1 BELLINGHAM COLD STORAGE COMPANY, via bridge
line by John Cameron, Attorney at Law, 1300 Southwest
2 Fifth Avenue, Suite 2300, Portland, Oregon 97204.

3 THE PUBLIC, via bridge line by Simon J.
4 ffitich, Assistant Attorney General, 900 Fourth Avenue,
Suite 2000, Seattle, Washington 98164-1012.

5 THE COMMISSION, via bridge line by Robert D.
6 Cedarbaum, Assistant Attorney General, 1400 South
Evergreen Park Drive Southwest, Olympia, Washington
98504-0128.

7 ATLANTIC RICHFIELD COMPANY, via bridge line
8 by Michael J. Myers, Attorney at Law, 911 Kilmary Lane,
Glendale, California 91207.

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

2 JUDGE MOSS: We are convened today by
3 teleconference bridge at the Commission's headquarters
4 in the matters of Bellingham Cold Storage Company and
5 Georgia Pacific West Inc. against Puget Sound Energy,
6 Docket Number UE-001014 and also in the proceeding
7 styled Georgia Pacific West Inc. against Puget Sound
8 Energy, Docket Number UE-000735.

9 The prehearing conference was noticed with
10 the idea that we would set a procedural schedule in
11 these dockets for stage two in the first one I mentioned
12 and for the full proceeding in the second one I
13 mentioned; however, we have had an intervening motion.

14 Before we get to that, let me just note
15 appearances for the record, and if I miss any, then I
16 will ask you to let me know that I have missed you, but
17 it will save time if I just do this. I have, I believe,
18 Mr. Cameron for Bellingham Cold Storage. And let me ask
19 you to just confirm that you can hear me.

20 MR. CAMERON: Yes, sir.

21 JUDGE MOSS: All right, and I have Mr. Gould
22 for Georgia Pacific West.

23 MR. GOULD: Yes.

24 JUDGE MOSS: And Mr. Quehrn for Puget Sound
25 Energy?

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1 MR. QUEHRN: Yes.

2 JUDGE MOSS: And Mr. Cedarbaum for staff?

3 MR. CEDARBAUM: Yes.

4 JUDGE MOSS: Mr. ffitch for public counsel?

5 MR. FFITCH: Yes.

6 JUDGE MOSS: My Meyers for ARCO?

7 MR. MYERS: Yes.

8 JUDGE MOSS: Okay, those appearances are
9 noted for the record. Is there anyone else on the line?
10 Okay, fine.

11 As I mentioned, we did have an intervening
12 motion that probably precludes the need for any
13 extensive discussion. I have received as filed on
14 August 22nd the joint motion of Complainants and
15 Respondent to continue proceedings for 60 days.

16 And it's my understanding from individual
17 conversations with Mr. Cedarbaum and Mr. ffitch that
18 neither staff for public counsel have any objection to
19 the motion; is that correct?

20 MR. CEDARBAUM: That's correct for staff.

21 MR. FFITCH: And for public counsel.

22 JUDGE MOSS: All right. Mr. Meyers, do you
23 wish to wade into this in any way?

24 MR. MEYERS: I don't have any objection to
25 the motion, sir.

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1 JUDGE MOSS: Okay. And, Mr. Cameron, I
2 believe it was Mr. Cedarbaum who conveyed to me that you
3 had actually talked to the other parties and there was
4 no objection.

5 MR. CAMERON: Yes, sir, I spoke to Ms. Arnold
6 and Ms. Davidson yesterday, and they told me -- well, I
7 did not have authorization to represent this to you, but
8 I will tell you that they told me they did not oppose
9 the motion.

10 JUDGE MOSS: Yes, and, of course, this would
11 be their opportunity to come forward since this was
12 noticed as a conference that would take up any then
13 pending motions, so I'm quite comfortable then going
14 ahead and acting on the motion. Before I do, I will
15 offer the opportunity if anybody has anything to say. I
16 think it's straightforward.

17 MR. CEDARBAUM: Your Honor, this is Bob
18 Cedarbaum. I just suggested in a letter that I filed
19 for staff a couple of days ago that we may want to think
20 about some kind of a status conference or something to
21 come back together at the end of the 60 day period to
22 find out where we are. I didn't know if you wanted
23 to --

24 JUDGE MOSS: Yes.

25 MR. CEDARBAUM: That's not something I feel

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1 strongly about. That was just a suggestion.

2 THE COURT: No, I think that's a good point,
3 and I had made a note of that. I'm glad you reminded me
4 of it. I think it is a good suggestion, and I think
5 it's also consistent with our procedural rule that
6 governs continuances. While we will be continuing this
7 to a date certain, nevertheless I think it's a prudent
8 step to build in a status conference certainly at the
9 conclusion of the period.

10 And I wanted to ask the parties as well
11 whether it would be useful in terms of promoting the
12 settlement process if we had an interim status
13 conference say 30 days into the process. Or if the
14 parties think that would be superfluous, then we won't
15 do it. Does anybody have any comment on that idea?

16 MR. CAMERON: This is John Cameron. It
17 occurs to me that you might wish to request a joint
18 status report from the plaintiffs and Puget perhaps 45
19 days into the continuance. That will obligate us to get
20 together hopefully into a single writing.

21 JUDGE MOSS: Anybody else want to comment on
22 that thought?

23 MR. QUEHRN: Puget would agree with that. It
24 seems like a good idea, let everyone know where we stand
25 after 45 days. I think it's a good suggestion.

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1 JUDGE MOSS: I think it's good to have some
2 bench marks along the way, and I'm happy with the 45
3 days. Why don't we do that. We'll talk about some
4 specific dates here in just a moment.

5 I suppose it's clear enough by now that it's
6 certainly my intention to grant the motion, and again,
7 we will establish some procedures here including a 45
8 day, roughly 45 day status report, joint status report.
9 And then again, we will set that 60th day, whatever we
10 decide that is precisely, for a further status
11 conference.

12 And then, of course, should the parties'
13 negotiations produce something positive sooner, then you
14 can just let us know, and we can make whatever
15 arrangements are indicated depending on where things
16 stand. Similarly if we're coming close to the end and
17 you need a few more days or something, we can, I think,
18 handle that on fairly short notice.

19 The main goal here is at this juncture
20 certainly for the Commission to do what it can to aid
21 the parties in their efforts, and I wanted to ask the
22 parties or invite the parties to take advantage of the
23 resources the Commission has to offer. And I don't know
24 if you have employed the services of a professional
25 mediator. If you have not done so and would desire to

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1 have the Commission's assistance in arranging for a
2 mediator, we would certainly be glad to help in that
3 effort or in any other way that would be useful to the
4 parties.

5 So I will just pause long enough to ask if
6 there's anything specific we can do now that would aid
7 the effort.

8 MR. GOULD: John Gould. I think not right
9 now, Judge, but thank you for the tender.

10 JUDGE MOSS: Okay, well, let us know, and you
11 can just give me a call if there's anything we can do to
12 assist. And again, we will certainly be glad to do
13 whatever is within our power to assist the parties.

14 MR. CAMERON: BCS has the same reaction, Your
15 Honor, but we appreciate the offer, and we will contact
16 you if we need mediation.

17 JUDGE MOSS: Okay, great. Now let's talk
18 about some specific dates. Today is the 23rd, and so,
19 of course, 60 days from today would be October the 23rd,
20 which happens to be a Monday. Do we want to set that as
21 the date that I will put in the order granting this
22 motion?

23 MR. GOULD: That's fine with GP.

24 MR. QUEHRN: Fine with Puget.

25 MR. CAMERON: Same with BCS.

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1 JUDGE MOSS: All right. Well, then I will
2 indicate that date, and then I will figure out whatever
3 the 45th day from -- well, let's see. Well, I will make
4 sure that it's on a convenient day of the week for the
5 filing of your joint status report. I will just count
6 those dates out and include that in a brief order
7 granting the motion.

8 Is there any other business we need to take
9 up?

10 MR. CAMERON: No, sir.

11 MR. QUEHRN: Not that I'm aware of.

12 MR. FFITCH: Same with public counsel.

13 MR. CEDARBAUM: Not for staff.

14 JUDGE MOSS: Okay, well, I appreciate you all
15 participating in this fashion. It actually is more
16 efficient to do it this way than for me to have to send
17 out a notice and invite responses and all of that sort
18 of thing. I thought we could handle it more
19 expeditiously in this fashion, so I appreciate you
20 taking the time out to participate with us in the
21 teleconference.

22 And that will bring us to the conclusion of
23 our business, and so we will go off the record. Thank
24 you.

25 (Hearing adjourned at 1:40 p.m.)