

Docket No. UE-190324 - Vol. II

In the Matter of: Puget Sound Energy

November 21, 2019



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1 BEFORE THE WASHINGTON
 2 UTILITIES AND TRANSPORTATION COMMISSION

4 WASHINGTON UTILITIES AND) DOCKET UE-190324
 4 TRANSPORTATION COMMISSION,)
 5 vs.)
 6 PUGET SOUND ENERGY)
 7)
 8)

9 PREHEARING CONFERENCE, VOLUME II
 10 Pages 85-95
 11 ADMINISTRATIVE LAW JUDGE ANDREW J. O'CONNELL

13 November 21, 2019
 14 2:40 p.m.

16 Washington Utilities and Transportation Commission
 16 621 Woodland Square Loop Southeast
 17 Lacey, Washington 98503

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1 LACEY, WASHINGTON; NOVEMBER 21, 2019
 2 2:40 P.M.
 3 --o0o--
 4 PROCEEDINGS

6 JUDGE O'CONNELL: Let's be on the record.
 7 Good afternoon. Today is Thursday, November 21st, 2019.
 8 The time is approximately 2:40 p.m.
 9 We're here today for a prehearing conference
 10 regarding Puget Sound Energy's petition for a Commission
 11 order approving PSE's power cost adjustment mechanism
 12 annual report, Docket UE-190324.
 13 My name is Andrew O'Connell. I'm an
 14 administrative law judge with the Washington Utilities
 15 and Transportation Commission, and I'll be presiding in
 16 this matter along with the Commissioners. After this
 17 hearing, I will prepare an order outlining the procedure
 18 going forward in this case.
 19 To begin, I want to take appearances and
 20 address the petition to intervene. Let's begin with
 21 Puget Sound Energy.
 22 MS. BARNETT: Thank you, Your Honor. Donna
 23 Barnett for Puget Sound Energy. I'm from Perkins Coie
 24 law firm, and I filed a notice of appearance, so I don't
 25 know if you need anything else.

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1 JUDGE O'CONNELL: Thank you. Short
 2 appearances are sufficient.
 3 And Staff -- for Staff?
 4 MR. DALLAS: Joe Dallas, Assistant Attorney
 5 General, on behalf of Commission Staff.
 6 JUDGE O'CONNELL: And Public Counsel?
 7 MS. GAFKEN: Good afternoon. This is Lisa
 8 Gafken, Assistant Attorney General, appearing on behalf
 9 of Public Counsel.
 10 JUDGE O'CONNELL: Thank you.
 11 And is a representative for the Alliance of
 12 Western Energy Consumers on the line?
 13 MR. COLEMAN: Yes, your Honor. Brent
 14 Coleman for the Alliance of Western Energy Consumers. I
 15 apologize for being tardy. I confused myself with the
 16 notices with respect to these related cases. I
 17 apologize.
 18 JUDGE O'CONNELL: That's okay. Thank you
 19 very much for being on the line.
 20 Let's address the petition for intervention,
 21 then. Are there any other petitions to intervene other
 22 than the one that has already been filed in writing?
 23 Hearing none, let's proceed. I have read
 24 the petition to intervene from AWEC. I am unaware of
 25 any written objection. Is there any objection to AWEC's

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1 intervention in this case?
 2 MS. BARNETT: No, Your Honor.
 3 MR. DALLAS: No, Your Honor.
 4 JUDGE O'CONNELL: So hearing no objection,
 5 AWEC's petition to intervene will be granted.
 6 A protective order has already been issued
 7 in this case.
 8 Regarding discovery requests, during
 9 proceedings at the Commission, parties often request
 10 that any data request or response be served on every
 11 other party. Is there any objection to my including
 12 that requirement in the prehearing conference order?
 13 MS. BARNETT: We have no objection, but
 14 usually the parties issue the me too as the first data
 15 request, but yeah, I have no --
 16 JUDGE O'CONNELL: I'm suggesting that I
 17 save --
 18 MS. BARNETT: Instead of that --
 19 JUDGE O'CONNELL: -- I save you the hassle
 20 of sending the me too data requests.
 21 MS. BARNETT: I guess it's we have no
 22 problem sending the responses to everyone, it's more I
 23 think a do -- do the other parties want to receive them
 24 automatically?
 25 JUDGE O'CONNELL: Well, let me hear from the

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1 other parties.
 2 Would you like to -- I guess -- I'm
 3 guessing, I'm assuming that the parties would like that
 4 me too data request. And if I'm incorrect, then please
 5 tell me and then I deem not include that in the
 6 prehearing conference order. But if you would like to
 7 receive all the requests and the responses, let me hear
 8 from the parties.
 9 Staff?
 10 MR. DALLAS: Now, just for clarification,
 11 we're talking about prior data requests or future data
 12 requests?
 13 JUDGE O'CONNELL: Future.
 14 MR. DALLAS: So Staff's position on that is
 15 we would like to be included in -- on the service for
 16 future data requests.
 17 JUDGE O'CONNELL: And Public Counsel?
 18 MS. GAFKEN: Public Counsel supports putting
 19 the, quote/unquote, me too DR in the prehearing
 20 conference order.
 21 JUDGE O'CONNELL: And --
 22 MS. GAFKEN: We would like to not have to --
 23 not have to send it out.
 24 JUDGE O'CONNELL: Right.
 25 And Mr. Coleman?

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1 MR. COLEMAN: Yes, AWEC would be in the same
 2 position to the extent that -- that we can sort of trim
 3 down just even to one, that would be great.
 4 JUDGE O'CONNELL: Okay. Then I will include
 5 that in the prehearing conference order.
 6 Moving on to electronic filing and
 7 electronic service. I want to remind the parties that
 8 the Commission requires electronic filing of documents
 9 for formal filings; however, in this case, the
 10 Commission will also require the filing of an original
 11 and three paper copies for internal distributions. If
 12 the filings include any information designated as
 13 confidential or Company confidential, please file the
 14 original and three copies of the fully unredacted
 15 versions. No paper copy is necessary for any partly
 16 redacted or fully redacted version. We only want
 17 electronic versions of those redacted copies.
 18 MS. BARNETT: Understood.
 19 JUDGE O'CONNELL: Designated persons for
 20 service, if any party has not yet designated a lead
 21 representative for service, please do so. Send me an
 22 email as soon as possible. My email is
 23 andrew.j.oconnell, spelled O-C-o-n-n-e-l@utc.wa.gov.
 24 Also, if anyone would like to add names and email
 25 addresses of other representatives or support staff who

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1 should receive electronic courtesy copies of all
 2 documents filed in the proceeding, please email that to
 3 me as well.
 4 So procedural schedule, have the parties
 5 been able to discuss with each other a procedural
 6 schedule?
 7 MR. DALLAS: Yes, Your Honor. I have
 8 reached out to each party informally, and I think we
 9 have a general consensus on what the procedural schedule
 10 should be; however, I would request that we have a short
 11 recess to provide specific dates for the Commission to
 12 consider.
 13 JUDGE O'CONNELL: Okay. I'm -- I'm inclined
 14 to give the parties that time. So I'm expecting you're
 15 expecting it to be a short recess, so can you just call
 16 me when the parties are done discussing?
 17 MR. DALLAS: Yes, Your Honor.
 18 JUDGE O'CONNELL: Okay. Then let's be off
 19 the record.
 20 (A break was taken from
 21 2:45 p.m. to 2:52 p.m.)
 22 JUDGE O'CONNELL: Let's be back on the
 23 record. So my understanding is that the parties have
 24 come to an agreed proposal?
 25 MR. DALLAS: That is correct.

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1 JUDGE O'CONNELL: Okay. Mr. Dallas, why
 2 don't you go ahead and tell me what the -- and say it on
 3 the record, please.
 4 MR. DALLAS: Okay. I will go ahead and read
 5 our proposed procedural schedule into the record, and
 6 this proposed procedural schedule is agreed to by all
 7 parties.
 8 Our -- and it starts with a settlement
 9 conference on April 7th and a status report on
 10 settlement due by April -- by -- sorry, let me start
 11 over. So a settlement conference on April 7th and a
 12 status report due on May 6th if a settlement has not
 13 been reached by then. And I also have it written down
 14 if you'd -- if you'd like.
 15 JUDGE O'CONNELL: Oh, I -- I think I can...
 16 MR. DALLAS: Okay. Great. I just wanted to
 17 make sure.
 18 JUDGE O'CONNELL: Okay. That will be
 19 incorporated into the prehearing conference order. Is
 20 there anything else that we should discuss today before
 21 we adjourn?
 22 MR. DALLAS: Not from Staff.
 23 MS. BARNETT: No.
 24 MS. GAFKEN: Nothing from Public Counsel.
 25 MR. COLEMAN: And nothing from AWEC. Thank

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1 you, Your Honor.
 2 JUDGE O'CONNELL: All right. Very good.
 3 Then I will issue an order shortly containing the
 4 procedural schedule and some other guidelines, but that
 5 will be it for today. We are adjourned. Thank you.
 6 (Adjourned at 2:54 p.m.)
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1 C E R T I F I C A T E
 2
 3 S T A T E O F W A S H I N G T O N
 4 C O U N T Y O F T H U R S T O N
 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.
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Tayler Garlinghouse, CCR 3358