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1 BEFORE THE WASHINGTON

2 UTILITIES AND TRANSPORTATION COMMISSION

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4 WASHINGTON UTILITIES AND )DOCKET UE-190324

TRANSPORTATION COMMISSION, )

5 )

vs. )

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PUGET SOUND ENERGY )

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PREHEARING CONFERENCE, VOLUME II

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Pages 85-95

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ADMINISTRATIVE LAW JUDGE ANDREW J. O'CONNELL

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November 21, 2019

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2:40 p.m.

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16 Washington Utilities and Transportation Commission

621 Woodland Square Loop Southeast

17 Lacey, Washington 98503

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1 LACEY, WASHINGTON; NOVEMBER 21, 2019

2 2:40 P.M.

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

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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-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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3 STATE OF WASHINGTON

4 COUNTY OF THURSTON

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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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13 Tayler Garlinghouse, CCR 3358

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