BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION	Complainant,	DOCKETS UE-260005 and UG-260006 (*Consolidated*)
v.		PETITION TO INTERVENE OF THE FRED MEYER STORES INC. AND QUALITY FOOD CENTERS, DIVISIONS OF THE KROGER CO.
PUGET SOUND ENERGY	Respondent.	

Pursuant to WAC 480-07-355, the Fred Meyer Stores Inc. and Quality Food Centers, Divisions of The Kroger Co., ("Kroger") hereby petitions the Washington Utilities and Transportation Commission ("Commission") for leave to intervene in the above-referenced dockets as an intervenor with full party status as described in WAC §480-07-340 and states in support as follows:

1. <u>Name and Addresses of Petitioner</u>:

The Kroger Co.
1014 Vine Street, G-07
Cincinnati, Ohio 45202

As required by WAC §480-07-145(2)(d), Kroger has provided this Petition by electronic mail.

2. <u>Name and Address of Attorney and Consultants Representing Petitioner</u>:

Kurt J. Boehm, Esq.
Jody Kyler Cohn, Esq.
BOEHM, KURTZ & LOWRY
425 Walnut Street, Suite 2400
Cincinnati, Ohio 45202
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All documents relating to this proceeding should be served in electronic format only at the above-referenced email addresses**.**

Based on Wash. Admin. Code § 480-07-345(1)(b), since they are licensed attorneys in good standing and admitted to practice in all Ohio and Kentucky courts, it is Kroger's understanding that *pro hac vice* admission is not required in order for Mr. Boehm and Ms. Cohn to appear and represent Kroger before the Commission. However, if this is not accurate, Kroger is prepared to engage Washington counsel in this proceeding.

3. Identify the Petitioner:

Petitioner is a retail electric customer of Puget Sound Energy ("PSE"). Petitioner has approximately 66 grocery stores and other facilities that purchase their electric supply from PSE.

4. Petitioner's Interest in this Proceeding:

Kroger is a corporation engaged in the business of selling groceries at retail throughout the United States. One of the largest retail food companies in the United States, Kroger operates approximately 130 grocery stores in the state of Washington under the Fred Meyer Stores, Inc. and Quality Food Center banners. Of that total, approximately 66 purchase their electric supply from PSE. These stores purchase more than 185 million kWh of electricity from PSE annually under various rate schedules and have a peak demand in excess of 27 MW. Petitioner is one of the largest commercial

customers served by PSE. The grocery stores operated by Fred Meyer Stores, Inc. and Quality Food Centers are high load factor facilities that use energy for food storage, lighting, heating, cooling and distribution, often on a 24 hour a day, 7 day a week basis. Accordingly, Petitioner has a substantial and vital interest in the outcome of this case which cannot be adequately represented by any other party.

5. Issues To Be Raised:

Petitioner will address whether the revenue requirement, cost allocation and rate design proposed by PSE are just and reasonable.

6. Testimony of Witnesses:

If Petitioner submits written direct testimony or exhibits, it will be prepared by Justin Bieber, Senior Consultant in the firm Energy Strategies, LLC of Salt Lake City, Utah. Petitioner also intends to cross-examine the witnesses called by the other parties to this proceeding and to submit written briefs as appropriate.

WHEREFORE, for the reasons set forth above, Petitioner respectfully requests that this Petition to Intervene be granted.

DATED this 31st day of March, 2026.

Respectfully submitted,

/s/Kurt J. Boehm

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