

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION, Complainant, v. PUGET SOUND ENERGY, Respondent.	DOCKETS UE-220066 and UG- 220067 (<i>Consolidated</i>) ORDER 19
In the Matter of the Petition of PUGET SOUND ENERGY For an Order Authorizing Deferred Accounting Treatment for Puget Sound Energy's Share of Costs Associated with the Tacoma LNG Facility	DOCKET UG-210918 ORDER 05 GRANTING PSE PETITION FOR INTERLOCUTORY REVIEW OF ORDER 18/04 AND MODIFYING PROCEDURAL SCHEDULE

BACKGROUND

- 1 On January 31, 2022, Puget Sound Energy (PSE or Company) filed with the Washington Utilities and Transportation Commission (Commission) revisions to its currently effective Tariff WN U-60, Tariff G, Electric Service, and its currently effective Tariff WN U-2, Natural Gas. The Commission initiated an adjudication in consolidated Dockets UE-220066 and UG-220067.
- 2 On March 3, 2022, the Commission entered Order 03, Prehearing Conference Order and Notice of Hearing (Order 03) in which the Commission adopted a procedural schedule for this proceeding and noticed an evidentiary hearing for October 3 and 4, 2022.

- 3 On May 12, 2022, the Commission entered Order 14/01, Granting Motion to Consolidate. The Commission granted the motion by Commission staff (Staff) to consolidate Dockets UE-220066 and UG-220067 with Docket UG-210918, wherein PSE petitioned for an order authorizing deferred accounting treatment for the Company's share of costs associated with the Tacoma Liquefied Natural Gas (LNG) Facility.
- 4 On July 12, 2022, AWEC filed an unopposed Motion to Amend Procedural Schedule (Motion). AWEC requested that the Commission modify the procedural schedule in this proceeding to allow the parties more time for settlement discussions prior to the filing of response testimony, which was due on July 19, 2022. AWEC proposed the following deadlines:
- Staff, Public Counsel, and Intervenor Response Testimony and Exhibits due by July 28, 2022;
 - PSE Circulates Joint Issues Matrix due by August 2, 2022; and
 - PSE Rebuttal Testimony and Exhibits, and Staff, Public Counsel, and Intervenor Cross-Answering Testimony and Exhibits due by September 7, 2022.
- 5 On July 13, 2022, the Commission entered Order 18/04 granting the Motion in part. The Commission accepted and adopted AWEC's proposed schedule revisions except for the deadline for filing rebuttal and cross-answering testimony. Order 18/04 adopted August 30, 2022, for that filing date based on concern that the September 7, 2022, deadline left the Commission insufficient time to prepare for the hearings.
- 6 On July 15, 2022, PSE filed a Petition for Interlocutory Review of Order 18/04 (Petition). PSE maintains that immediate review of that order is necessary to prevent substantial prejudice to the Company and the other parties that cannot be remedied in the Commission's final order. Such prejudice results, according to PSE, because the Company has less time to respond to response testimony filed on July 28 than the parties agreed and that was reflected in the original schedule. PSE claims that the reduced time will require the Company to devote its resources to preparing testimony, rather than engaging in the meaningful settlement negotiations the Motion was intended to facilitate.
- 7 The Petition also requests that the Commission adjust the procedural schedule to require filing of PSE's power cost update on the same date as the Company's rebuttal testimony. Such synchronicity was part of the original procedural schedule, and PSE represents that the parties inadvertently omitted that aspect of the proposed scheduling revisions when filing the Motion.
- 8 PSE observes that no party opposed the Motion, and the Petition merely requests that the Commission grant the Motion as filed.

DISCUSSION AND DECISION

- 9 The Commission grants the Petition. Scheduling issues obviously cannot be remedied at the end of the proceeding, and shortening the time for filing responsive testimony can result in substantial prejudice. The Commission, therefore, will review Order 18/04.
- 10 Based on that review, the Commission agrees with PSE and the parties that the procedural schedule should be modified as proposed in the Motion. The Commission encourages settlement of disputed issues, and the parties intended the schedule modifications to facilitate that process. Ensuring that the Commission has sufficient time to prepare for the evidentiary hearings is an important consideration, but under the circumstances presented here, we find that increasing the prospect of successful settlement outweighs the reduction of the Commission's preparation time. Accordingly, we revise the deadline for filing rebuttal and cross-answering testimony to September 7, 2022, as proposed in the Motion.
- 11 PSE's request to align the filing of its Power Cost Update with its rebuttal testimony is outside the scope of Order 18/04 and thus not properly part of a petition for interlocutory review of that order. We nevertheless will grant the relief that PSE requests. Synchronizing those filings is consistent with the original procedural schedule, as well as the purpose underlying the proposed modifications to that schedule, and does not result in substantial prejudice to any of the other parties. We will not insist on PSE filing two separate petitions merely to observe procedural niceties.¹

ORDER

THE COMMISSION ORDERS:

- 12 (1) The Commission grants Puget Sound Energy's Petition for Interlocutory Review of Order 18/04.
- 13 (2) The Commission amends the procedural schedule in these dockets by revising the deadline for filing Puget Sound Energy's Power Cost Update and rebuttal and cross-answering testimony to Wednesday, September 7, 2022, by 5 p.m.

¹ See WAC 480-07-395 (4) (authorizing liberal construction of pleadings to effect justice).

DATED at Lacey, Washington, and effective July 18, 2022.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER, Chair

ANN E. RENDAHL, Commissioner

**APPENDIX A
PROCEDURAL SCHEDULE
DOCKETS UE-220066, UG-220067, and UG-210918 (Consolidated)**

EVENT	DATE
General Rate Case Filing	January 31, 2022
Complaint and Suspension Order; Commencement of Discovery	February 10, 2022
Prehearing Conference	February 28, 2022
Intervenor funding Case Certification/Notice of Intent to Seek Funding	March 14, 2022
Intervenor Funding Proposed Budgets	April 13, 2022
Green Direct Settlement Conference ²	Week of April 11, 2022 or the week of April 18, 2022
Initial Settlement Conference	June 13-14, 2022³
Staff, Public Counsel, and Intervenor Response Testimony and Exhibits ⁴	July 28, 2022
PSE Circulates Joint Issues Matrix	August 2, 2022
Settlement Conference	August 10, 2022
Notice Issued for Public Comment Hearing	To be determined (“TBD”) – at least 30 days before the Public Comment Hearing

² See WAC 480-07-700(5)(a) (“Parties may reschedule a settlement conference included in the procedural schedule without seeking to modify the schedule if all parties agree, but the parties must provide notice to the presiding officer of the rescheduled date.”)

³ *Id.*

⁴ Response time to data requests will be seven business days as of this date.

Public Comment Hearing	TBD – based on Commissioner availability
<p>PSE files Power Cost Update—The filing will incorporate updates to the following:</p> <ol style="list-style-type: none"> 1. Natural gas prices to a more recent three-month average of forward market prices, 2. Power and gas-for-power hedge contracts and index-priced physical supply contracts, 3. BPA transmission contract rates, 4. Natural gas pipeline rates, 5. Mid-Columbia hydroelectric contract costs, and 6. Other rate year contract rates. <p>In addition, the power cost update will refresh the level of forecasted EIM benefits for the rate plan period years.</p>	September 7, 2022
PSE Rebuttal Testimony and Exhibits; Staff, Public Counsel, and Intervenor Cross-Answering Testimony and Exhibits ⁵	September 7, 2022
Discovery Deadline - Last Day to Issue Data Requests	September 16, 2022
PSE files Joint Issues Matrix	September 26, 2022
Exhibit List, Cross-Examination Exhibits, Witness Lists, Time Estimates, Exhibits Errata	September 26, 2022
Evidentiary Hearing	October 3, 2022 beginning at 9:00am, continuing as needed through October 4, 2022⁶
Post-hearing Briefing and Updated Joint Issues Matrix	October 31, 2022

⁵ Response time to data requests will be five business days as of this date.

⁶ TEP raised a concern that the Yom Kippur holiday begins the evening of October 4, 2022. If any party is concerned with religious accommodations around this holiday, please contact the presiding administrative law judge.

Compliance Filing	TBD⁷
Suspension Date	December 31, 2022

⁷ Pursuant to WAC 480-07-880, Staff has five business days to review the Company's compliance filing prior to rates going into effect.