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UTIL. AND TRANSP.
COMMISSION

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AND OVERNIGHT MAIL

September 12, 2019

Mr. Steven V. King, Executive Director
Washington Utilities and Transportation Commission,
1300 S. Evergreen Park Drive, S.W.
P.O. Box 47250
Olympia, Washington 98504-7250

Attn: Filing Center

Re: Docket No. UE-190529 and UG-190530 (Consolidated)

Dear Mr. King:

Enclosed please find the original and eleven (11) copies of THE KROGER CO's CONFIDENTIALITY AGREEMENTS of counsel and expert witnesses: Kurt Boehm, Esq., Kevin Higgins, Courtney Higgins, Neal Townsend, Oliwia Smith for filing in the above-referenced dockets. Please note that we also filed the above via electronic mail on same date.

By copy of this letter, all parties listed on the Certificate of Service have been electronically served. Please place this document of file.

Very Truly Yours,



Kurt J. Boehm, Esq.
Jody Kyler Cohn, Esq.
BOEHM, KURTZ & LOWRY

MLKkew
Enclosures
cc: Certificate of Service

EXHIBIT A (ATTORNEY AGREEMENT)

AGREEMENT CONCERNING CONFIDENTIAL INFORMATION
IN DOCKETS UE-190529 and UG-190530 (Consolidated)
BEFORE THE
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

I, Kurt Boehm, as attorney in
this proceeding for Kroger Co. (party to
this proceeding) agree to comply with and be bound by the Protective Order entered by
the Washington Utilities and Transportation Commission in Dockets UE-190529 and
UG-190530 (consolidated), and acknowledge that I have reviewed the Protective Order
and fully understand its terms and conditions. I further agree to be responsible for any
violations of the Protective Order that result from the conduct of administrative staff I
allow to have access to Confidential Information.

KR
Signature

9-12-19
Date

36 E. 7th St. Suite 510 Cincinnati, OH 45202
Address

EXHIBIT C (HIGHLY CONFIDENTIAL INFORMATION AGREEMENT)

AGREEMENT CONCERNING HIGHLY CONFIDENTIAL INFORMATION
IN DOCKETS UE-190529 and UG-190530 (Consolidated)
BEFORE THE
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

I, Kurt Boehm, as

In-house counsel

In-house expert

Outside counsel

Outside expert

in this proceeding for Kroger Co. (a party to this proceeding) hereby declare under penalty of perjury under the laws of the State of Washington that the following are true and correct:

- a. I am not now involved, and will not for a period of two years involve myself in, competitive decision making with respect to which the documents or information may be relevant, by or on behalf of any company or business organization that competes, or potentially competes, with the company or business organization from whom they seek disclosure of highly confidential information with respect to the development or purchase of electric or natural gas resources;
- b. I have read and understand, and agree to be bound by, the terms of the Protective Order in this proceeding, including this Exhibit C of the Protective Order; and
- c. If I am in-house or outside counsel, I further agree to be responsible for any violations of the Protective Order that result from the conduct of administrative staff I allow to have access to Highly Confidential Information.

KK

Signature

9-12-19

Date

Cincinnati OH

City/State where this Agreement was signed

Boehm, Kurtz & Lang

Employer

Attorney for Kroger Co.

Position and Responsibilities

96 E 7th St Cincinnati OH
45202

Permanent Address

* * *

The following portion is to be completed by the responding party and filed with the Commission within 10 days of receipt. Failure to do so will constitute a waiver and the above-named person will be deemed a person having access to Highly Confidential Information under the terms and conditions of the protective order.

_____ No objection.

_____ Objection. The responding party objects to the above-named person having access to Highly Confidential Information. The objecting party shall file a motion with the Commission, supported by affidavit, setting forth the basis for objection and asking exclusion of the person from access to Highly Confidential Information.

Signature

Date

EXHIBIT B (EXPERT AGREEMENT)

AGREEMENT CONCERNING CONFIDENTIAL INFORMATION
IN DOCKETS UE-190529 and UG-190530 (Consolidated)
BEFORE THE
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

I, OLIWIA SMITH, as expert witness in this proceeding for THE KROGER CO. (a party to this proceeding) hereby agree to comply with and be bound by the Protective Order entered by the Washington Utilities and Transportation Commission in Dockets UE-190529 and UG-190530 (consolidated) and acknowledge that I have reviewed the Protective Order and fully understand its terms and conditions.

[Signature]
Signature

9/11/2019
Date

ENERGY STRATEGIES
Employer

215 SOUTH STATE ST. STE 200
Address SALT LAKE CITY
UT, 84105

CONSULTANT
Position and Responsibilities

The following portion is to be completed by the responding party and filed with the Commission within 10 days of receipt; failure to do so will constitute a waiver and the above-named person will be deemed an expert having access to Confidential Information under the terms and conditions of the protective order.

_____ No objection.

_____ Objection. The responding party objects to the above-named expert having access to Confidential Information. The objecting party shall file a motion setting forth the basis for objection and asking exclusion of the expert from access to Confidential Information.

Signature

Date

EXHIBIT C (HIGHLY CONFIDENTIAL INFORMATION AGREEMENT)


AGREEMENT CONCERNING HIGHLY CONFIDENTIAL INFORMATION
IN DOCKETS UE-190529 and UG-190530 (Consolidated)
BEFORE THE
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

I, OLIVIA SMITH, as

- In-house counsel
- In-house expert
- Outside counsel
- Outside expert

in this proceeding for THE KROGER CO. (a party to this proceeding) hereby declare under penalty of perjury under the laws of the State of Washington that the following are true and correct:

- a. I am not now involved, and will not for a period of two years involve myself in, competitive decision making with respect to which the documents or information may be relevant, by or on behalf of any company or business organization that competes, or potentially competes, with the company or business organization from whom they seek disclosure of highly confidential information with respect to the development or purchase of electric or natural gas resources;
- b. I have read and understand, and agree to be bound by, the terms of the Protective Order in this proceeding, including this Exhibit C of the Protective Order; and
- c. If I am in-house or outside counsel, I further agree to be responsible for any violations of the Protective Order that result from the conduct of administrative staff I allow to have access to Highly Confidential Information.



Signature

9/11/2019

Date

SALT LAKE CITY, VT

City/State where this Agreement was signed

ENERGY STRATEGIES

Employer

CONSULTANT

Position and Responsibilities

215 SOUTH STATE STREET
STE 2001 SALT LAKE CITY, VT 84105

Permanent Address

* * *

The following portion is to be completed by the responding party and filed with the Commission within 10 days of receipt. Failure to do so will constitute a waiver and the above-named person will be deemed a person having access to Highly Confidential Information under the terms and conditions of the protective order.

_____ No objection.

_____ Objection. The responding party objects to the above-named person having access to Highly Confidential Information. The objecting party shall file a motion with the Commission, supported by affidavit, setting forth the basis for objection and asking exclusion of the person from access to Highly Confidential Information.

Signature

Date

EXHIBIT B (EXPERT AGREEMENT)

AGREEMENT CONCERNING CONFIDENTIAL INFORMATION
IN DOCKETS UE-190529 and UG-190530 (Consolidated)
BEFORE THE
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

I, Courtney Higgins, as expert witness in this proceeding for The Kroger Co. (a party to this proceeding) hereby agree to comply with and be bound by the Protective Order entered by the Washington Utilities and Transportation Commission in Dockets UE-190529 and UG-190530 (consolidated) and acknowledge that I have reviewed the Protective Order and fully understand its terms and conditions.

Courtney Higgins
Signature

9/11/19
Date

Energy Strategies LLC
Employer

2155 State St, Ste 200
Salt Lake City UT 84111
Address

Senior consultant
Position and Responsibilities

The following portion is to be completed by the responding party and filed with the Commission within 10 days of receipt; failure to do so will constitute a waiver and the above-named person will be deemed an expert having access to Confidential Information under the terms and conditions of the protective order.

_____ No objection.

_____ Objection. The responding party objects to the above-named expert having access to Confidential Information. The objecting party shall file a motion setting forth the basis for objection and asking exclusion of the expert from access to Confidential Information.

Signature

Date

EXHIBIT C (HIGHLY CONFIDENTIAL INFORMATION AGREEMENT)

AGREEMENT CONCERNING HIGHLY CONFIDENTIAL INFORMATION
IN DOCKETS UE-190529 and UG-190530 (Consolidated)
BEFORE THE
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

I, Courtney Higgins, as

In-house counsel

In-house expert

Outside counsel

Outside expert

in this proceeding for The Kroger Co. (a party to this proceeding) hereby declare under penalty of perjury under the laws of the State of Washington that the following are true and correct:

- a. I am not now involved, and will not for a period of two years involve myself in, competitive decision making with respect to which the documents or information may be relevant, by or on behalf of any company or business organization that competes, or potentially competes, with the company or business organization from whom they seek disclosure of highly confidential information with respect to the development or purchase of electric or natural gas resources;
- b. I have read and understand, and agree to be bound by, the terms of the Protective Order in this proceeding, including this Exhibit C of the Protective Order; and
- c. If I am in-house or outside counsel, I further agree to be responsible for any violations of the Protective Order that result from the conduct of administrative staff I allow to have access to Highly Confidential Information.

Courtney Higgins

Signature

9/11/19

Date

Salt Lake City, UT

City/State where this Agreement was signed

Energy Strategies LLC

Employer

Senior Consultant

Position and Responsibilities

215 S State St, Ste 200
Salt Lake City, UT 84111

Permanent Address

The following portion is to be completed by the responding party and filed with the Commission within 10 days of receipt. Failure to do so will constitute a waiver and the above-named person will be deemed a person having access to Highly Confidential Information under the terms and conditions of the protective order.

_____ No objection.

_____ Objection. The responding party objects to the above-named person having access to Highly Confidential Information. The objecting party shall file a motion with the Commission, supported by affidavit, setting forth the basis for objection and asking exclusion of the person from access to Highly Confidential Information.

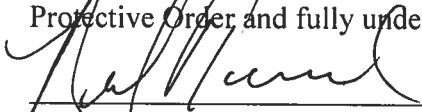
Signature

Date

EXHIBIT B (EXPERT AGREEMENT)

AGREEMENT CONCERNING CONFIDENTIAL INFORMATION
IN DOCKETS UE-190529 and UG-190530 (Consolidated)
BEFORE THE
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

I, NEAL TOWNSEND, as expert
witness in this proceeding for THE KROGER CO. (a party to
this proceeding) hereby agree to comply with and be bound by the Protective Order
entered by the Washington Utilities and Transportation Commission in Dockets UE-
190529 and UG-190530 (consolidated) and acknowledge that I have reviewed the
Protective Order and fully understand its terms and conditions.



Signature

SEPT. 11, 2019

Date

ENERGY STRATEGIES, LLC

Employer

215 S. STATE STREET STE 200
SALT LAKE CITY, UT 84111

Address

PRINCIPAL - CONSULTING

Position and Responsibilities

The following portion is to be completed by the responding party and filed with the
Commission within 10 days of receipt; failure to do so will constitute a waiver and the
above-named person will be deemed an expert having access to Confidential Information
under the terms and conditions of the protective order.

_____ No objection.

_____ Objection. The responding party objects to the above-named expert
having access to Confidential Information. The objecting party shall file a motion setting
forth the basis for objection and asking exclusion of the expert from access to
Confidential Information.

Signature

Date

EXHIBIT C (HIGHLY CONFIDENTIAL INFORMATION AGREEMENT)

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IN DOCKETS UE-190529 and UG-190530 (Consolidated)
BEFORE THE
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

I, NEAL TOWNSEND, as

In-house counsel

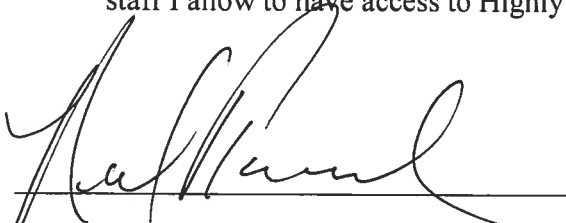
In-house expert

Outside counsel

Outside expert

in this proceeding for THE KROGER CO. (a party to this proceeding) hereby declare under penalty of perjury under the laws of the State of Washington that the following are true and correct:

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- b. I have read and understand, and agree to be bound by, the terms of the Protective Order in this proceeding, including this Exhibit C of the Protective Order; and
- c. If I am in-house or outside counsel, I further agree to be responsible for any violations of the Protective Order that result from the conduct of administrative staff I allow to have access to Highly Confidential Information.



Signature

SEPT. 11, 2019

Date

SALT LAKE CITY, UTAH

City/State where this Agreement was signed

ENERGY STRATEGIES, LLC

Employer

PRINCIPAL/CONSULTING

Position and Responsibilities

215 S. STATE STREET, STE. 200
SALT LAKE CITY, UT 84111

Permanent Address

The following portion is to be completed by the responding party and filed with the Commission within 10 days of receipt. Failure to do so will constitute a waiver and the above-named person will be deemed a person having access to Highly Confidential Information under the terms and conditions of the protective order.

_____ No objection.

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Signature

Date

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AGREEMENT CONCERNING CONFIDENTIAL INFORMATION
IN DOCKETS UE-190529 and UG-190530 (Consolidated)
BEFORE THE
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

I, KEVIN HIGGINS, as expert
witness in this proceeding for THE KROGER CO. (a party to
this proceeding) hereby agree to comply with and be bound by the Protective Order
entered by the Washington Utilities and Transportation Commission in Dockets UE-
190529 and UG-190530 (consolidated) and acknowledge that I have reviewed the
Protective Order and fully understand its terms and conditions.


Signature

9-11-19
Date

ENERGY STRATEGIES
Employer

215 S. STATE ST., SUITE 200
SALT LAKE CITY, UT 84111
Address

PRINCIPAL
Position and Responsibilities

The following portion is to be completed by the responding party and filed with the
Commission within 10 days of receipt; failure to do so will constitute a waiver and the
above-named person will be deemed an expert having access to Confidential Information
under the terms and conditions of the protective order.

_____ No objection.

_____ Objection. The responding party objects to the above-named expert
having access to Confidential Information. The objecting party shall file a motion setting
forth the basis for objection and asking exclusion of the expert from access to
Confidential Information.

Signature

Date

EXHIBIT C (HIGHLY CONFIDENTIAL INFORMATION AGREEMENT)

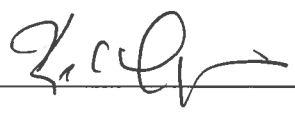
AGREEMENT CONCERNING HIGHLY CONFIDENTIAL INFORMATION
IN DOCKETS UE-190529 and UG-190530 (Consolidated)
BEFORE THE
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

I, KEVIN HIGGINS, as

- In-house counsel
- In-house expert
- Outside counsel
- Outside expert

in this proceeding for _____ (a party to this proceeding) hereby declare under penalty of perjury under the laws of the State of Washington that the following are true and correct:

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- b. I have read and understand, and agree to be bound by, the terms of the Protective Order in this proceeding, including this Exhibit C of the Protective Order; and
- c. If I am in-house or outside counsel, I further agree to be responsible for any violations of the Protective Order that result from the conduct of administrative staff I allow to have access to Highly Confidential Information.



Signature

9-11-19

Date

SALT LAKE CITY, UT

City/State where this Agreement was signed

ENERGY STRATEGIES

Employer

PRINCIPAL

Position and Responsibilities

25 215 S. STATE ST., SUITE 200

SALT LAKE CITY, UT 84111

Permanent Address

The following portion is to be completed by the responding party and filed with the Commission within 10 days of receipt. Failure to do so will constitute a waiver and the above-named person will be deemed a person having access to Highly Confidential Information under the terms and conditions of the protective order.

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Signature

Date

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the parties listed on the attached Certificate of Service by regular U.S. mail and electronic mail (when available) this 12th day of September, 2019.



Kurt J. Boehm, Esq.
Jody Kyler Cohn, Esq.

MASTER SERVICE LIST
DOCKET NO. UE-190529 and UG-190530

Intervenor's Counsel or Representative
Representing: Alliance of Western Energy Consumers

Riley Peck
Davison Van Cleve, PC
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Portland, OR 97201
rgp@dvclaw.com

Intervenor's Counsel or Representative
Representing: Alliance of Western Energy Consumers

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Alliance of Western Energy Consumers
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Portland, OR 97201
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Applicant
Representing: Puget Sound Energy

Jon Piliaris
Puget Sound Energy (E012)
PO BOX 97034 PSE-08N
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Jesse Gorsuch
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Applicant's Counsel or Representative
Representing: Puget Sound Energy

Donna Barnett
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David Steele
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Intervenor

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Nucor Steel
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Seattle, WA 98106-1100

Intervenor's Counsel or Representative
Representing: Nucor Steel Seattle, Inc.

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Assistant Attorney General

Jennifer Cameron-Rulkowski
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Assistant Attorney General

Harry Fukano
Assistant Attorney General
WUTC
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harry.fukano@utc.wa.gov

Public Counsel

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Assistant Attorney General
Attorney General's Office
800 5th Avenue STE 2000
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NinaS@atg.wa.gov

Intervenor

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10116 N.E. 8th Street
Bellevue, WA 98004

Assistant Attorney General

Joe Dallas
WUTC
1300 S. Evergreen Park Drive S.W. P.O.
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joe.dallas@utc.wa.gov

Assistant Attorney General

Daniel Teimouri
WUTC
P.O. Box 47250
Olympia, WA 98504-7250
daniel.teimouri@utc.wa.gov

Intervenor's Counsel or Representative
Representing: The Energy Project

Simon ffitch
Simon ffitch Attorney at Law
321 High School Rd. NE STE D3 #383
Bainbridge Island, WA 98110
simon@ffitchlaw.com

Respondent
Representing: Puget Sound Energy

Ken Johnson
Director - Rates & Regulatory Affairs
Puget Sound Energy

PO BOX 97034, PSE-08N
Bellevue, WA 98009-9734
ken.s.johnson@pse.com

Intervenor's Counsel or Representative
Representing: Alliance of Western Energy Consumers

Tyler Pepple
Davison Van Cleve, PC
1750 SW Harbor Way STE 450
Portland, OR 97201
tcp@dvclaw.com

Public Counsel

Lisa Gafken
Office of the Attorney General
800 Fifth Avenue STE 2000
Seattle, WA 98104-3188
Lisa.Gafken@atg.wa.gov

Applicant's Counsel or Representative
Representing: Puget Sound Energy

Jason Kuzma
Perkins Coie, LLP
10885 N.E. Fourth St. STE 700
Bellevue, WA 98004-5579
JKuzma@perkinscoie.com

Intervenor's Counsel or Representative
Representing: Alliance of Western Energy Consumers

Bradley Mullins
Davison Van Cleve, PC
1750 SW Harbor Way STE 450
Portland, OR 97201
brmullins@mwanalytics.com

Assistant Attorney General

Jeff Roberson
Assistant Attorney General
WUTC
P.O. Box 40128
Olympia, WA 98504-0128
jeff.roberson@utc.wa.gov

Intervenor
Representing: The Energy Project

Shawn Collins
Director
The Energy Project
3406 Redwood Ave
Bellingham, WA 98225
shawnc@oppco.org

Intervenor

Alliance of Western Energy Consumers
Alliance of Western Energy Consumers
818 SW 3rd Avenue # 266
Portland, OR 97204

Intervenor's Counsel or Representative
Representing: The Kroger Co. Et Al

Kevin Higgins
Energy Strategies LLC
215 South State Street STE 200
Salt Lake City, UT 84111
khiggins@energystrat.com

Intervenor

Fred Meyer Stores, Inc.
Fred Meyer Stores, Inc.
3800 Southeast 2nd Street
Portland, OR 99202

Applicant's Counsel or Representative
Representing: Puget Sound Energy

Sheree Strom Carson
Perkins Coie, LLP
10885 N.E. Fourth Street STE 700
Bellevue, WA 98004-5579
scarson@perkinscoie.com