Service Date: May 29, 2026

BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION, Complainant, v. PUGET SOUND ENERGY, Respondent.	DOCKETS UE-260005 & UG-260006 (*Consolidated*) ORDER 04 UE-260113 ORDER 02
In the Matter of the Petition of PUGET SOUND ENERGY For an Accounting Order Authorizing the Deferred Accounting Treatment for FERC Interest Associated with Mandatory Transmission Network Upgrades	GRANTING MOTION TO EXCLUDE

BACKGROUND

1 On February 27, 2026, Puget Sound Energy (PSE or Company) filed with the Washington Utilities and Transportation Commission (Commission) revisions in Docket UE-260005 to its currently effective electric service tariff, Tariff WN U-60 Tariff G, and in Docket UG-260006 to its natural gas service tariff, Tariff WN U-2. The purpose of these filings is to increase rates and charges for electric and natural gas service provided to customers in the state of Washington. In this filing, PSE proposes a Three-Year Rate Plan, which would begin with new base rates effective in 2027 (Rate Year 1), 2028 (Rate Year 2), and 2029 (Rate Year 3).

2 On April 20, 2026, the Commission issued Order 03/01, Prehearing Conference Order (Order 03/01). Among other matters, Order 03/01 made determinations on several petitions for intervention.[1]

[1] Those who wish to participate as a party must apply consistent with our rules, prior to the Prehearing Conference. WAC 480-07-355(1)(a)("Written petitions to intervene should be filed at least three business days before the initial hearing date or prehearing conference date, whichever occurs first.").

3 On April 26, 2026, Shannon Day (Day) – a member of the public – filed a signed copy of a confidentiality agreement originating from Exhibits B and C of Corrected Order 02 (Order 02) in this proceeding.

4 On April 27, 2026, PSE filed a Motion to Exclude Day from accessing confidential and highly confidential information. PSE argues that Day is not a party to this proceeding and that access to confidential and highly confidential information governed by a protective order in a Commission proceeding is reserved to parties to the proceeding and their retained experts in order to facilitate discovery.[2]

5 On April 28, 2026, Day filed a Response to PSE's Motion to Exclude (Day's Petition). Day's Petition asserts that Day is "a residential ratepayer and petitioner for intervention," and "an active participant with a substantial interest in these proceedings[.]"[3] Day argues that "[u]nlike the formal parties who are paid to be here, I am the one actually paying the bill."[4] Day characterizes "PSE's attempt to exclude a self-represented party" as violating "the spirit of public oversight and transparency."[5]

DISCUSSION AND DECISION

6 Order 02 states, in part "Limitation on Use. A party or a party's counsel or expert may review, use, or disclose information designated as Confidential Information and Highly Confidential Information by another party only for purposes of this proceeding."[6] Consequently, we interpret Order 02 as applicable only to the parties in this proceeding and their retained experts.

7 WAC 480-07-340 defines a "party" as "a person to whom the agency action is specifically directed. A party is also a person named as a party to the agency proceeding or allowed to intervene or participate as a party in the agency proceeding." While Day claims status as a "self-represented party," the present case was not directed at Day, Day was not named as a party, and Day has not been allowed to intervene in this proceeding. However, our procedures call for liberal construction of pleadings, so as to effectuate

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[2] PSE's Motion to Exclude at 1-2 ¶ 1.

[3] Day's Petition at 1 ¶ 1.

[4] Day's Petition at 1 ¶ 3.

[5] Day's Petition at 1 ¶ 4.

[6] *WUTC v. Puget Sound Energy*, Docket UE-260005 & UG-260006, Corrected Order 02 at 2 ¶ 6 (March 26, 2026).

relief requested. With that principle in mind, we construe Day's April 28, 2026, filing as a petition to intervene.[7]

Petition to Intervene

8 "Written petitions to intervene should be filed at least three business days before the initial hearing date or prehearing conference date, whichever occurs first."[8] With respect to late-filed petitions to intervene, "[t]he commission may grant a petition to intervene made after the initial hearing or prehearing conference, whichever occurs first, only on a showing of good cause, including a satisfactory explanation of why the person did not timely file a petition to intervene."[9] The Commission will grant intervenor status "if the petitioner has a substantial interest in the subject matter of the hearing or if the petitioner's participation is in the public interest."[10] The Commission also considers whether "the intervention sought is in the interests of justice and will not impair the orderly and prompt conduct of the proceedings."[11]

9 The pre-hearing conference was noted and occurred prior to Day's filing. Therefore, Day's petition to intervene is not timely. A participant that seeks late intervention in a proceeding must show good cause for their late filing. Here, Day identifies no good cause for her late intervention, which alone is sufficient grounds to deny her petition to intervene. Even if Day's filing was timely, Day has not demonstrated that she has a substantial interest in the subject matter of the hearing or that her participation is in the public interest. While Day has indicated that she is a PSE ratepayer, her interests as a residential ratepayer are already represented by Public Counsel and she has not established any nexus between herself and a specific issue in this proceeding.[12] Although

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[7] WAC 480-07-395(4).

[8] WAC 480-07-355(1)(a).

[9] WAC 480-07-355(1)(b).

[10] WAC 480-07-355(3).

[11] RCW 34.05.443.

[12] *WUTC v. Puget Sound Energy, Inc.*, Dockets UE-072300 & UG-072301, Order 03 at 3 ¶ 7 (Jan. 17, 2008)("The Union's only asserted interest in this proceeding is that many of its members are PSE ratepayers. Public Counsel adequately represents the interests of PSE's residential ratepayers. Moreover, the Union establishes no nexus between itself as a representational body and any issue in this case. The Commission accordingly denies the Washington and Northern Idaho District Counsel of Laborers' petition to intervene."); RCW 80.04.510.

Day asserts that Public Counsel does not represent her specific perspective as a rural ratepayer, Day does not allege any facts suggesting that Public Counsel will not adequately represent all residential ratepayers, and we will not presume to the contrary. Consequently, the Commission denies Day's petition to intervene.

10 Although we decline to grant party status to Day as a formal intervenor, we note there are still opportunities for Day to participate in this proceeding. Day may still file a written comment in this proceeding, appear at one or both of the public comment hearings scheduled by the Commission, or coordinate with one of the parties, including Public Counsel, regarding her interests and positions.[13] The public comment hearings are currently scheduled to be in person on September 29, 2026, and online on October 7, 2026. We encourage Day to avail herself of these other avenues of participation in this case.

Motion to Exclude

11 PSE has filed a Motion to Exclude Day's signed confidentiality agreements from the record. As explained above, Order 02 is only applicable to parties to this proceeding and their retained experts, and we have denied Day's petition to intervene as a party. Insofar as Day is not a party to this proceeding, she may not access confidential or highly confidential information pursuant to the terms of Order 02. Consequently, we grant PSE's Motion to Exclude.

ORDER

12 The Commission denies Shannon Day's Petition to Intervene.

13 The Commission grants Puget Sound Energy's Motion to Exclude.

DATED at Lacey, Washington, May 29, 2026.

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[13] WAC 480-07-498.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

/s/ *Harry Fukano*
HARRY FUKANO
Administrative Law Judge

/s/ *Bijan Hughes*
BIJAN HUGHES
Administrative Law Judge

NOTICE TO PARTIES: This is an Interlocutory Order of the Commission. Administrative review may be available through a petition for review, filed within 10 days of the service of this Order pursuant to WAC 480-07-810.