



Bob Ferguson  
**ATTORNEY GENERAL OF WASHINGTON**

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March 13, 2013

**SENT VIA E-MAIL AND ABC LEGAL MESSENGER**

Steven V. King  
Acting Executive Director and Secretary  
Washington Utilities and Transportation Commission  
1300 S. Evergreen Park Dr. SW  
P. O. Box 47250  
Olympia, Washington 98504-7250

RE: *In the Matter of the Petition of PUGET SOUND ENERGY, INC., for Approval of a Power Purchase Agreement for Acquisition of Coal Transition Power, as Defined in RCW 80.80.010, and the Recovery of Related Acquisition Costs;*  
Docket UE-121373

*In the Matter of Puget Sound Energy, Inc., WN U-60, Tariff G, Electric Service, Advice No. 213-01 and WN U-2 Natural Gas Service, Advice No. 2013-02*  
Dockets UE-130137 and UG-130138

*In the Matter of the Petition of PUGET SOUND ENERGY, INC. and NW ENERGY COALITION, For an Order Authorizing PSE to Implement Electric and Natural Gas Decoupling Mechanisms and to Record Accounting Entries Associated with the Mechanisms*  
Dockets UE-121697 and UG-121705

Dear Mr. King:

In its March 12, 2013 letter, in the Decoupling and Expedited Rate Filing (ERF) dockets, PSE devotes a substantial portion of its letter to broad mischaracterizations of stakeholder involvement in these dockets and issues in an effort to cast stakeholders in a negative light with regard to both substantive review of proposals and as well as procedural matters. The Commission did not request parties to address these issues in their March 12 filings.

While Public Counsel would prefer not to engage in unproductive debates about past events, it is not possible to allow PSE's inaccurate and misleading statements to stand without any challenge or response. Public Counsel challenges the veracity of PSE's characterizations in multiple respects.

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For example, with respect to the ERF proposal being discussed last September and October, PSE states that "Stakeholders provided no feedback on the proposed methodology and chose to ignore the proposal last fall."<sup>1</sup> This statement is false. Public Counsel can provide affidavits describing the two detailed responsive discussions that occurred involving multiple parties, including Commission Staff.<sup>2</sup> PSE's letter also omits the key information that PSE itself did not pursue these discussions after October 2012. PSE also refused parties' requests to coordinate the ERF and Decoupling filings so that they could be considered together.

Given the short time before the Thursday Open Meeting and breadth of PSE's statements, Public Counsel is not able to fully respond at this time. However, Public Counsel is prepared to file affidavits and supporting materials to demonstrate the inaccurate, misleading and incomplete nature of PSE's statements if given the opportunity by the Commission. Since PSE broadly tarnishes "stakeholder" participants without specific identification, other parties may also wish to respond.

PSE's statements regarding efforts to schedule "technical/settlement" conferences are also misleading and inaccurate.<sup>3</sup>

Public Counsel objects in the strongest terms to PSE's efforts to seek advantage in these dockets by misrepresenting past events and party conduct to the Commission. At this time, Public Counsel requests that the Commission disregard and give no weight to the factual statements and characterizations in Sections B and C of PSE's letter filing in its procedural deliberations and determinations on the above-captioned docket. If the Commission wishes to consider the past history raised by PSE in detail, Public Counsel requests an opportunity to respond in writing to the statements in the Company's letter.

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1 PSE Letter, March 12, 2013, p. 6.

2 The 2012 ERF proposal was not presented to parties by PSE until mid-September 2012. The total period of discussions involved two meetings and ended after less than 30 days. The proposal was not "nearly identical" to the current ERF proposal as PSE now states.

3 PSE Letter, March 12, 2013, p. 7

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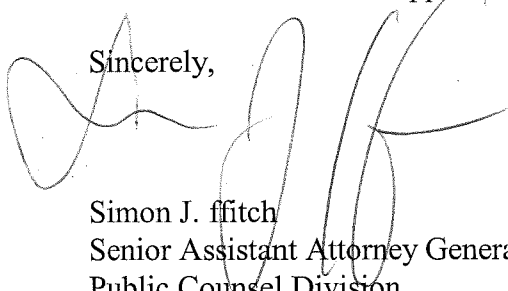
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Northwest Industrial Gas Users (NWIGU) has reviewed this letter and has authorized Public Counsel to state that it supports the points made.

Sincerely,

A handwritten signature in black ink, appearing to read "Simon J. Fitch". The signature is fluid and cursive, with a large initial "S" and "F".

Simon J. Fitch  
Senior Assistant Attorney General  
Public Counsel Division  
(206) 389-2055

SJf:cjb

cc: Service Lists (Email only)