

BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND
TRANSPORTATION
COMMISSION,

Complainant,

v.

PUGET SOUND ENERGY, INC.,

Respondent.

DOCKETS UE-111048
and UG-111049 (*consolidated*)

MOTION OF PUBLIC COUNSEL
FOR CONTINUANCE OF THE
DISCOVERY DEADLINE

1. Pursuant to WAC 480-07-375 and WAC 480-07-385, the Public Counsel Section of the Washington Attorney General's Office (Public Counsel) hereby moves the Washington Utilities and Transportation Commission (Commission) for a continuance of the discovery deadline in this docket. Public Counsel respectfully requests that the discovery deadline be extended from January 30, 2012, to February 1, 2012.
2. This motion should be granted because the following facts demonstrate good cause for the extension of time which will not prejudice any party or the Commission:
 1. From January 17-20, 2012, the Puget Sound region experienced severe winter weather conditions. This weather created dangerous travel conditions, causing the Washington State Attorney General's Office to close its Seattle office except for

essential personnel¹ on January 18 and 19 and to open late on Friday January 20.

Public Counsel staff were not able to be in the office on January 18 and 19.

Additionally, January 20 power outages affecting servers in AGO offices in Olympia resulted in a 2-3 hour loss of access to AGO Seattle computer and internet systems, including those of Public Counsel. These occurrences have delayed Public Counsel's ability to adequately complete discovery by the January 30, 2012 discovery deadline.

2. Public Counsel has corresponded with counsel for the various parties regarding its intent to file this motion. Public Counsel has been authorized to state that the following parties support extending the discovery deadline:

- a. NWIGU;
- b. The Energy Project;
- c. Commission Staff;
- d. ICNU;
- e. Nucor Steel of Seattle, Inc.

Additionally, Public Counsel has been authorized to state that the following parties do not object to extending the discovery deadline:

- a. Puget Sound Energy;
- b. The Sierra Club;
- c. The Kroger Co.;
- d. FEA;
- e. NWECC;

Public Counsel has not been able to confer with counsel for Cost Management Services Inc., and therefore, does not know whether or not it objects to this motion.

¹ Public Counsel is located in the Seattle Office.

3. Pursuant to WAC 480-07-385(2), the Commission may grant a continuance if the moving party “demonstrates good cause” and the extension of time “will not prejudice any party or the [C]ommission.” Additionally, an “agreed request” will be granted unless it is inconsistent with the public interest or adverse to the administrative needs of the Commission.²
4. The extreme weather that caused closure of the Attorney General’s Office as well as loss of power around the region interfered with Public Counsel’s office operations and created an inability to complete discovery, which establishes good cause for continuing the discovery deadline. Several parties support this motion, and no party that has communicated with Public Counsel objects, indicating that no party will be prejudiced by the requested extension of time.

3. For the foregoing reasons, Public Counsel respectfully requests that the Commission grant its motion for continuance of the discovery deadline to February 1, 2012.

4. DATED this 24th day of January, 2012.

ROBERT M. McKENNA
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² WAC 480-07-385(2).