

BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND)	
TRANSPORTATION COMMISSION,)	DOCKET NO. UE-050870
)	
Complainant,)	
)	ORDER NO. 02
v.)	
)	
PUGET SOUND ENERGY, INC.,)	PREHEARING CONFERENCE
)	ORDER
Respondent.)	
.....)	

1 **PROCEEDINGS:** On June 7, 2005, Puget Sound Energy, Inc., (PSE or the Company) filed with the Commission revisions to its currently effective Tariff WN U-60, designated as Twenty Seventh Revision of Sheet No. 95, Second Revision of Sheet No. 95-a, Third Revision of Sheet No. 95-b, Second Revision of Sheet Nos. 95-c through 95-e, and Original Sheet Nos. 95-f through 95-k. The stated effective date is July 8, 2005. PSE proposes to change its rates recovering the cost of power as a result of increases in the projected price of natural gas during the rate year, annual cost increases in the Company’s existing long-term power purchase agreements, the Company’s decision to purchase a new wind powered electric generation facility known as the Hopkins Ridge Project, and other reasons. The filing is authorized by the Settlement Stipulation approved by the Commission in Docket Nos. UE-011570 and UG-011571.

2 The Commission conducted a prehearing conference on June 22, 2005, before Administrative Law Judge Dennis J. Moss.

3 **PARTY REPRESENTATIVES:** Kirstin S. Dodge, Perkins Coie LLP, Bellevue, Washington, represents PSE. S. Bradley Van Cleve and Matthew W. Perkins, Davison Van Cleve, P.C., Portland, Oregon, represent the Industrial Customers

of Northwest Utilities (ICNU). Simon ffitth and Robert Cromwell, Assistant Attorneys General, Seattle, Washington, represent the Public Counsel Section of the Washington Office of Attorney General. Robert D. Cedarbaum, Senior Assistant Attorney General, Olympia, Washington, represents the Commission's regulatory staff (Commission Staff or Staff).¹

4 **PETITIONS TO INTERVENE:** ICNU filed a petition to intervene on June 16, 2005. No objection was heard to ICNU's petition. The Commission finds that ICNU has demonstrated its substantial interest in this proceeding and that the organizations participation will be in the public interest. ICNU's petition to intervene is granted.

5 **DISCOVERY; PROTECTIVE ORDER:** The Commission invoked the discovery rules in its Complaint and Order Suspending Tariff Revisions. Staff and others, without objection, proposed that the response time for data requests be reduced to five business days, effective on, September 7, 2005, the date that Staff, Public Counsel and ICNU first file any responsive testimony. Given the expedited procedural schedule established below, the shortened response time is reasonable. All parties are required to provide responses to data requests within five business days following receipt of such requests on and after September 7, 2005. In addition, to further expedite the exchange of potentially relevant information, all parties are required to provide all work papers, including model runs and source documents, at the time they prefile testimony and exhibits, or as soon thereafter as possible. The Commission urges the parties to work cooperatively together to avoid having to bring discovery matters forward for formal resolution.

¹ In formal proceedings, such as this case, the Commission's regulatory staff functions as an independent party with the same rights, privileges, and responsibilities as any other party to the proceeding. There is an "*ex parte* wall" separating the Commissioners, the presiding ALJ, and the Commissioners' policy and accounting advisors from all parties, including Staff. RCW 34.05.455.

6 The Commission will enter a Protective Order in this proceeding pursuant to WAC 480-07-420 and -423, to facilitate the filing and exchange among parties, during discovery and otherwise, of information that is designated "Confidential" by the party in whose custody and control the information is held.

7 **PROCEDURAL SCHEDULE:** The Commission establishes the procedural schedule that is attached to this Order as Appendix 1, which is incorporated into the body of this Order by this reference. The Commission will determine by further notice or order Public Counsel's request for a public comment hearing.

8 **FILING; COPIES OF MATERIALS:** Parties must submit an original and 15 copies of all documents filed. All filings must be mailed to the Commission Executive Secretary, Washington Utilities and Transportation Commission, P.O. Box 47250, 1300 S. Evergreen Park Drive, S.W. Olympia, Washington 98504-7250, or delivered by hand to the Commission Executive Secretary at the Commission's records center at the Washington Utilities and Transportation Commission, 1300 S. Evergreen Park Drive, S.W., Olympia, Washington, 98504. Both the post office box and street address are required to expedite deliveries by U.S. Postal Service.

9 An electronic copy of all filings must be provided by e-mail delivery to <records@wutc.wa.gov>. Alternatively, Parties may furnish an electronic copy by delivering with each filing a 3.5-inch IBM-formatted high-density diskette including the filed document(s). The Commission prefers that parties furnish electronic copies in .pdf (Adobe Acrobat) format, supplemented by a separate file in MS Word 6.0 (or later), or WordPerfect 5.1 (or later) format.

10 All paper copies of testimony, exhibits, and briefs are required to conform to the publication guidelines included in the Commission's procedural rules governing filings (*i.e.*, WAC 480-07-145, -395, -423, and -460). The Commission may require a party to refile any document that fails to conform to these standards.

- 11 **NOTICE TO PARTIES: Any objection to the provisions of this Order must be filed within ten (10) days after the date of mailing of this statement, pursuant to WAC 480-07-430(3). Absent Commission action on any objection, this prehearing conference order will control further proceedings in this matter.**

DATED at Olympia, Washington, and effective this 24th day of June, 2005.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DENNIS J. MOSS
Administrative Law Judge

APPENDIX 1

**PROCEDURAL SCHEDULE
DOCKET NO. UE-050870**

EVENT	DATE	INTERVAL
PSE's Prefiled Direct Testimony	Filed June 7, 2005	
Settlement Conference	August 11, 2005	
Staff, Public Counsel, and Intervenor Response Testimony	September 7, 2005 ²	94 days
PSE Rebuttal Testimony	September 21, 2005 ³	14 days
Evidentiary Hearing	October 5-7, 10, 11, 2005	14 days
Simultaneous Initial Briefs	October 21, 2005 (via e-mail by noon)	10 days
Simultaneous Reply Briefs	October 28, 2005 (via e-mail by noon)	7 days
Requested Effective Date for any authorized tariff changes	December 1, 2005	

^{2, 3} The original and required number of copies must be filed by 4:00 p.m. and served by 5:00 p.m. Parties will exchange testimony and exhibits that are available in electronic format by noon on the designated date.

APPENDIX 2

PARTIES' REPRESENTATIVES

DOCKET NO. UE-050870

PARTY	REPRESENTATIVE	PHONE	FACSIMILE	E-MAIL
Puget Sound Energy	Kirstin S. Dodge Jason Kuzma Perkins Coie LLP 10885 N.E. Fourth Street Suite 700 Bellevue, WA 98004 5579	425-635-1400	425-635-2400	kdodge@perkinscoie.com jkuzma@perkinscoie.com
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Public Counsel	Simon J. ffitich Robert Cromwell Public Counsel Section Office of Attorney General 900 Fourth Avenue, Suite 2000 Seattle, WA 98164-1012	206-389-2055 206-464-6595	206-389-2079	simonf@atg.wa.gov RobertC1@atg.wa.gov
Commission Regulatory Staff	Robert D. Cedarbaum Senior Counsel 1400 S. Evergreen Park Dr. S.W. P.O. Box 40128 Olympia, WA 98504-0128	360-664-1188	360-586-5522	rcedarba@wutc.wa.gov