

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION
COMMISSION

WASHINGTON UTILITIES AND)	
TRANSPORTATION COMMISSION,)	DOCKET NO. UE-010525
)	
Complainant,)	
)	
v.)	
)	
PUGET SOUND ENERGY, INC.,)	PREHEARING CONFERENCE
)	ORDER
Respondent.)	
.....)	

1 **PREHEARING CONFERENCE:** On April 16, 2001, Puget Sound Energy, Inc. (PSE), filed with the Commission certain tariff revisions to provide a new form of electric service to a class of large industrial customers. The class of customers includes, in part, those customers having premises with a high intensity load that required improved infrastructure to reduce the possibility of power service interruption. The Commission entered a Complaint and Order Suspending Tariff Revisions on June 27, 2001. The Commission convened a prehearing conference in Olympia, Washington, on September 7, 2001, before Administrative Law Judge Dennis J. Moss.

2 **PETITION TO INTERVENE:** The Industrial Customers of Northwest Utilities (ICNU), WorldCom, Inc., Qwest Corporation, and ATT Wireless, Inc., sought leave to intervene by oral and/or written petitions. Each petitioner stated its interest in the proceeding. ICNU’s petition was opposed by PSE; the other petitions were not opposed by any Party. ICNU demonstrated its substantial interest in the outcome of this proceeding to the Commission’s satisfaction; the Commission finds ICNU’s participation is in the public interest. Similarly, the other Parties asserted their substantial interests and no one disputed their assertions. The Commission finds that participation in this proceeding by WorldCom, Qwest, and ATT Wireless is in the public interest. The several petitions to intervene all are granted.

3 **PARTIES:** Todd Glass, attorney, Heller, Ehrman, White & McAuliffe, LLP, Seattle, Washington represents PSE. Irion Sanger, Davison Van Cleve, P.C., Portland, Oregon, represents ICNU. Lisa Anderl, attorney, Qwest Corporation, represents Qwest. Melissa Robertson, attorney, Ater Wynne, LLP, Portland, Oregon, represents WorldCom, Inc. John Cameron, attorney, Davis Wright, Tremaine, LLP, Portland, Oregon, represents ATT Wireless. Robert Cromwell, Assistant Attorney General, Seattle, Washington, represents the Public Counsel Section, Office of Attorney

General (Public Counsel). Sally Johnston, Assistant Attorney General, Olympia, Washington, represents the Commission's regulatory staff (Staff).

4 **DISCOVERY / PROTECTIVE ORDER:** Certain Parties requested that they be given an opportunity to continue settlement negotiations initiated prior to the prehearing conference to determine whether they might achieve an early settlement, either full or partial, to file by September 14, 2001, for Commission consideration and action. Staff proposed that the Commission nevertheless establish a procedural schedule as a precaution against the failure of settlement negotiations, or the Commission's possible rejection of any settlement that may be filed. Staff requested in this connection that the Commission's discovery rule, WAC 480-09-480, be invoked and that was done. Consideration of the need for a protective order was deferred.

5 **PROCESS AND PROCEDURAL SCHEDULE; NOTICE OF HEARING:** Following discussion among the Parties and consideration of the Commission's calendar, the Commission established the following procedural schedules:

1. To accommodate the possibility that a settlement will be filed on or before September 14, 2001:

Settlement Hearing	September 27, 2001
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2. The parallel schedule for further adjudicative process, if necessary, is:

PSE prefiled direct	October 8, 2001
Prefiled response testimony	November 5, 2001
Prefiled rebuttal testimony	November 19, 2001
HEARING	December 12-14, 2001
Simultaneous briefs	December 28, 2001

6 **FILING; COPIES OF MATERIALS:** All filings should be directed to the Commission Secretary, Washington Utilities and Transportation Commission, P.O. Box 47250, 1300 S. Evergreen Park Drive, S.W. Olympia, Washington 98504-7250, or by hand delivery to the Commission 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. An original plus seventeen (17) copies of all pleadings, motions, briefs, and other prefiled materials must be filed with the Commission. **An electronic courtesy copy of all filings should be provided to the Presiding Administrative Law Judge at <dmoss@wutc.wa.gov>.**

7 Parties must furnish separately a 3.5 inch IBM formatted high-density diskette including the filed document(s) in .pdf format, MS Word 97 (or later), or WordPerfect 5.1 (or later) format, or may supplement their filing by sending an electronic copy via e-mail attachment to: <records@wutc.wa.gov>.

8 **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 480-09-460(2). Absent such objections, this prehearing conference order will control further proceedings in this matter, subject to Commission review.

DATED at Olympia, Washington, and effective this ____ day of September, 2001.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DENNIS J. MOSS,
Administrative Law Judge