

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND)	DOCKET UE-130617
TRANSPORTATION COMMISSION,)	
)	
Complainant,)	ORDER 03
)	
v.)	
)	PREHEARING CONFERENCE
PUGET SOUND ENERGY, INC.,)	ORDER; NOTICE OF HEARING
)	(Set for September 26-27, 2013)
Respondent.)	
)	
.....)	

1 **PROCEEDING:** On April 25, 2013, Puget Sound Energy, Inc. (PSE or Company) filed with the Washington Utilities and Transportation Commission (Commission) revisions to its currently effective Tariff WN U-60, designated as the Schedule 95 “Power Cost Adjustment Clause.” PSE seeks to adjust the power cost baseline rate embedded in the Company’s electric rates. The Company’s filing would decrease charges and rates for electric service by approximately \$616,833 or 0.03 percent. This power cost only rate case, or PCORC, filing is authorized by the Settlement Stipulation approved by the Commission in Dockets UE-011570 and UG-011571. The Commission suspended operation of the as-filed tariffs by Order 01 entered in this docket on May 9, 2013.

2 **CONFERENCE/PRESIDING OFFICER.** The Commission convened a prehearing conference in this proceeding at Olympia, Washington on May 31, 2013, before Administrative Law Judge Marguerite E. Friedlander, whom the Commission appoints as presiding officer in this proceeding.

3 **PARTY REPRESENTATIVES:** Sheree Strom Carson and Donna L. Barnett, Perkins Coie LLP, Bellevue, Washington, represent PSE. Simon J. ffitch, Assistant Attorney General, Seattle, Washington, represents the Public Counsel Section of the Washington Office of Attorney General (Public Counsel). Donald T. Trotter and Steven W. Smith, Assistant Attorneys General, Olympia, Washington, represent the

Commission's regulatory staff (Commission Staff or Staff).¹ Irion Sanger, Davison Van Cleve, Portland, Oregon, represents the Industrial Customers of Northwest Utilities (ICNU). Contact information provided at the conference for the parties' representatives is attached as Appendix A to this order.

4 **PETITIONS FOR INTERVENTION.** ICNU filed a petition to intervene on May 28, 2013. There was no objection to the petition to intervene. The Commission finds that the petitioner demonstrated a substantial interest in this proceeding and that ICNU's participation will be in the public interest. The petition to intervene is granted.

5 **PROTECTIVE ORDER.** The Commission entered a protective order with highly confidential provisions in this docket under RCW 34.05.446, RCW 80.04.095, WAC 480-07-420 and WAC 480-07-423 on May 9, 2013, to protect the confidentiality of proprietary information.

6 **DISCOVERY.** Discovery will be conducted under the Commission's discovery rules, WAC 480-07-400 – 425. The response time for data requests initially is ten (10) business days. After the date for rebuttal testimony, August 28, 2013, the time for responses to data requests will be four (4) business days. Discovery will conclude September 18, 2013. To expedite the exchange of potentially relevant information, in addition to timely responses to discovery requests, all parties are required to provide all work papers, including model runs and source documents, at the time they prefile testimony and exhibits. The Commission urges the parties to work cooperatively together to avoid having to bring discovery matters forward for formal resolution.

7 **PROCEDURAL SCHEDULE.** The Commission adopts the procedural schedule set forth in Appendix B to this Order.

¹ In formal proceedings, such as this, the Commission's regulatory staff participates like any other party, while the Commissioners make the decision. To assure fairness, the Commissioners, the presiding administrative law judge, and the Commissioners' policy and accounting advisors do not discuss the merits of this proceeding with the regulatory staff, or any other party, without giving notice and opportunity for all parties to participate. *See* RCW 34.05.455.

8 At the prehearing conference, Public Counsel requested that the Commission convene a public comment hearing in the evening of September 26, 2013, following the first day of the evidentiary hearing. The Commission takes Public Counsel's request under advisement and will inform the parties of its decision shortly.

9 **EXHIBITS FOR CROSS-EXAMINATION.** Parties are required to electronically submit to the Commission all proposed cross-examination exhibits **by 3:00 p.m. on September 19, 2013**, and file hard copies of the same **by noon on September 20, 2013**. The Commission requires eight (8) copies of the unredacted version of any exhibits containing confidential information and two (2) copies of a redacted set of any such exhibits.

10 Except as otherwise agreed between parties, proposed cross-examination exhibits must be served on all parties at the time they are filed with the Commission. Two copies must be furnished to the party sponsoring the witness the party intends to cross examine with the exhibits. Parties may waive the right to service of cross-examination exhibits in whole or in part. This may be appropriate, for example, when a proposed exhibit has been previously furnished during the discovery process.

11 The exhibits must be accompanied by an exhibit list and must be organized into sets that are **tabbed, labeled, and grouped** according to the witness the party intends to cross examine with the exhibits. Cross-examination exhibits not conforming to these requirements may be rejected. Each party's cross-examination exhibit list must be filed with the Commission and served on all parties by 3:00 p.m. on September 19, 2013.

12 **NOTICE OF HEARING.** The Commission will hold evidentiary hearings in this matter beginning **September 26, 2013, at 11:00 a.m., or immediately following the Commission's Open Meeting**, whichever is later, in the Commission's Hearing Room, Second Floor, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington. Hearings will continue on September 27, 2013, as needed. The Commission may alter this schedule by subsequent notice.

13 **DOCUMENT PREPARATION AND FILING REQUIREMENTS.** Parties must file the original plus eight (8) copies of the unredacted versions of all pleadings, motions, briefs, and other prefiled materials. Parties must also file the original and two (2) copies of any redacted version(s). These materials must conform to the format and publication guidelines in WAC 480-07-395 and WAC 480-07-460. The

Commission prefers that materials be three-hole punched with *oversized* holes to allow easy handling. The Commission may require a party to refile any document that fails to conform to these standards.

- 14 All filings must be mailed or delivered to the Executive Director and Secretary, Washington Utilities and Transportation Commission, P.O. Box 47250, 1300 S. Evergreen Park Drive S.W., Olympia, Washington 98504-7250. Both the post office box and street address are required to expedite deliveries by the U.S. Postal Service.
- 15 An electronic copy of all filings must be provided through the Commission's Web Portal (www.utc.wa.gov/e-filing) or by e-mail delivery to (records@utc.wa.gov). Alternatively, parties may furnish an electronic copy by delivering with each filing a 3.5-inch IBM-formatted high-density diskette or CD including the filed document(s). Parties must furnish electronic copies in MS Word 6.0 (or later) supplemented by a separate file in .pdf (Adobe Acrobat) format. Parties must follow WAC 480-07-140(5) in organizing and identifying electronic files.
- 16 **ELECTRONIC SUBMISSION OF DOCUMENTS.** The Commission grants a one-day extension of the paper-filing requirement under WAC 480-07-145(6), allowing electronic submission of documents with the Commission on the deadlines established by the procedural schedule. Parties must submit documents through the Commission's Web Portal (www.utc.wa.gov/e-filing) or by e-mail to (records@utc.wa.gov), and file an original, plus eight (8) paper copies, of the documents with the Commission by the following business day. Parties must provide courtesy copies of their electronic submissions to the presiding administrative law judge and the parties to the proceeding.
- 17 **ALTERNATE DISPUTE RESOLUTION.** The Commission supports the informal settlement of matters before it. Parties are encouraged to consider means of resolving disputes informally. The Commission does have limited ability to provide dispute resolution services; if you wish to explore those services, please call the Director, Administrative Law Division, at 360-664-1355.

18 **NOTICE TO PARTIES:** A party who objects to any portion of this Order must file a written objection within ten (10) calendar days after the service date of this Order, pursuant to WAC 480-07-430 and WAC 480-07-810. The service date appears on the first page of the order in the upper right-hand corner. Absent such objection, this Order will control further proceedings in this matter, subject to Commission review.

Dated at Olympia, Washington, and effective June 4, 2013.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARGUERITE E. FRIEDLANDER
Administrative Law Judge

**APPENDIX A
PARTIES' REPRESENTATIVES
DOCKET UE-130617**

PARTY	REPRESENTATIVE	PHONE	E-MAIL
PSE	Sheree Strom Carson Perkins Coie LLP 10885 NE Fourth Street Suite 700 Bellevue, WA 98004-5579	425-635-1400	scarson@perkinscoie.com
	Kenneth Johnson Director, Rates & Regulatory Affairs Puget Sound Energy, Inc. P.O. Box 97034 Bellevue, WA 98009-9734	425-456-2110	ken.s.johnson@pse.com
	Donna Barnett		dbarnett@perkinscoie.com
	<i>Electronic Correspondence and Courtesy Copies</i>		psedrs@perkinscoie.com
Commission Staff	Donald T. Trotter Assistant Attorney General Office of the Attorney General Utilities and Transportation Division 1400 S. Evergreen Park Dr. SW P.O. Box 40128 Olympia, WA 98504-0128	360-664-1189	dtrotter@utc.wa.gov
	Steven W. Smith		ssmith@utc.wa.gov
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PARTY	REPRESENTATIVE	PHONE	E-MAIL
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	Stefanie A. Johnson		stefaniej@atg.wa.gov
	Carol J. Baker		carol.baker@atg.wa.gov
ICNU	Iriou A. Sanger Davison Van Cleve 333 SW Taylor, Suite 400 Portland, OR 97204	503-241-7242	ias@dvclaw.com
	Industrial Customers of Northwest Utilities 818 SW 3 rd Avenue, #266 Portland, OR 97204		
	Michael Deen		mdeen@r-c-s-inc.com
	Donald Schoenbeck		dws@r-c-s-inc.com
	Melinda Davison		mjd@dvclaw.com
Brad Van Cleve	bvc@dvclaw.com		

APPENDIX B
PROCEDURAL SCHEDULE
DOCKET UE-130617

EVENT	DATE
Company Supplemental Testimony and Exhibits	July 2, 2013
Settlement Conference (parties only)	July 23, 2013
Staff/Public Counsel/ICNU Response Testimony and Exhibits	August 14, 2013
Company Rebuttal Testimony and Exhibits	August 28, 2013 ²
Cross-examination exhibits electronically submitted	September 19, 2013, by 3:00 p.m. ³
Evidentiary Hearings	September 26-27, 2013
Simultaneous Initial Briefs	October 10, 2013
Simultaneous Reply Briefs (Limited to 7 pages or less in length)	October 17, 2013 ⁴

² Discovery responses will be due on a 4 business day turn around after August 28, 2013.

³ Hard copies of the cross-examination exhibits must be filed with the Commission by noon on September 20, 2013.

⁴ The parties request that the Commission enter a final order in this matter by November 19, 2013, so that any new rates may be implemented on December 1, 2013. The Commission will take the request under advisement.