

**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND)	
TRANSPORTATION COMMISSION)	DOCKET NO. PG-030080
)	ORDER NO. 01
Complainant,)	
)	PREHEARING CONFERENCE
v.)	ORDER; NOTICE OF
)	PREHEARING CONFERENCE
PUGET SOUND ENERGY, INC.,)	(To be held June 8, 2005);
)	NOTICE OF HEARING
Respondent.)	(To be held beginning June 13,
)	2005)
.....)	

1 **NATURE OF PROCEEDING.** Docket No. PG-030080 is a complaint of the Washington Utilities and Transportation Commission (“Commission”) against Puget Sound Energy (“Respondent,” “Company,” or “PSE”).

2 **CONFERENCE.** The Washington Utilities and Transportation Commission (Commission) convened a prehearing conference in this docket at Olympia, Washington on November 10, 2004, before Administrative Law Judge C. Robert Wallis.

3 **APPEARANCES.** Donald T. Trotter, Assistant Attorney General, Seattle, WA, represents the Commission’s regulatory staff (“Commission Staff” or “Staff”).¹ Sheree Strom Carson, attorney, Perkins Coie, Bellevue, represents Respondent Puget Sound Energy. Contact information provided at the conference for the parties’ representatives is attached as Appendix A to this order.

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 Administrative Law Judge, and the Commissioners’ policy and accounting advisors from all parties, including Staff. *RCW 34.05.455*.

4 **PETITIONS FOR INTERVENTION.** No petitions for intervention were received and no person appeared at the prehearing conference, seeking to participate as an intervenor.

5 **CONSOLIDATION.** This matter was previously consolidated for consideration with Docket No. PG-030128, also a Commission complaint against PSE. Subsequently, that matter was resolved and the dockets are no longer consolidated.

6 **DISCOVERY.** The Discovery rule is invoked based upon the potentially precedential nature of the subject of the docket. Discovery will be conducted pursuant to the Commission's discovery rules, WAC 480-07-400 – 425.

7 **PROTECTIVE ORDER.** The parties discussed the possibility of a protective order in this docket pursuant to RCW 34.05.446, RCW 80.04.095, WAC 480-07-420, and WAC 480-07-423 to protect the confidentiality of proprietary information. They determined that a protective order did not appear necessary at the present time. Either party may request a protective order should it believe the step to be necessary.

8 **SETTLEMENT.** The parties indicated that they were pursuing settlement discussions, and asked in furtherance of those discussions that a settlement judge be assigned to assist the parties at two points in the procedural schedule. The Commission assigns Ann E. Rendahl as the settlement judge in this matter, and makes provisions for settlement conferences as noted in the schedule. Consistent with the parties' representations at the prehearing conference, it is understood that the conferences are conditioned on parties' needs and are subject to cancellation or, with the consent of Judge Rendahl's change in schedule.

9 **PROCEDURAL SCHEDULE.** The parties agreed upon a procedural schedule prior to the conference. The Commission adopts the following procedural schedule, which is based upon the parties' request.

Settlement conference ²	December 8-9, 2004
Settlement conference	December 21-22, 2004
Deadline for filing settlement agreement ³	January 24, 2005
Filing deadline, Staff direct case	January 31, 2005
Filing deadline, PSE responsive case	March 28, 2005
Filing deadline, Staff rebuttal case	May 4, 2005
Prehearing Conference ⁴	June 8, 2005
Hearing begins (four days reserved)	June 13, 2005
Simultaneous initial briefs	June 28, 2005
Simultaneous answering briefs	July 15, 2005

10 **NOTICE OF PREHEARING CONFERENCE.** The Commission convenes a prehearing conference in this matter, to address the marking of exhibits,

² The settlement conferences will be convened at 9:30 a.m. on the first day of each two-day reserved session and will be held in Room 207 in the Commission offices in Olympia.

³ If the parties file a settlement agreement, the Commission will establish a schedule for its review.

⁴ The prehearing conference is subject to cancellation if it proves to be unnecessary.

objections to proposed exhibits, and any other properly-raised procedural matter. **The conference will be held on Wednesday, June 8, 2005, at 9:30 a.m., in the Commission's Hearing Room, Second Floor, Chandler Plaza Building, 1300 S. Evergreen Park Drive S. W., Olympia, Washington.**

11 **NOTICE OF HEARING:** The Commission convenes a hearing in this matter beginning on **Monday, June 13, 2005, at 9:30 a.m., in the Commission's Hearing Room, Second Floor, Chandler Plaza Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.**

12 **DOCUMENT PREPARATION AND FILING REQUIREMENTS.** Parties must file with the Commission an original plus 11 copies of all pleadings, motions, briefs, and other prefiled materials. Paper copies of these materials are required to conform to the format and publication guidelines set forth in WAC 480-07-395 and 480-07-460, and must 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.

13 All filings must be mailed 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 delivered by hand 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 the U.S. Postal Service.

14 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. Parties are required to organize and identify electronic files as specified in WAC 480-07-140(5).

15 **ELECTRONIC FILING.** Parties may only file documents electronically with the Commission in this proceeding with the permission of the administrative law judge. Under WAC 480-07-145(6), electronic filing of documents provides a one-day extension of the paper-filing requirement. If, at any time during this proceeding, parties are authorized to file documents with the Commission electronically under WAC 480-07-145(6), Parties must submit the document to records@wutc.wa.gov, and file an original, plus 11 copies, of the document with the Commission by the following business day.

16 **NOTICE TO PARTIES: Any objection to the provisions of this Order must be filed within ten (10) days after the service date of this Order, pursuant to WAC 480-07-430 and WAC 480-07-810. Absent such objection, this Order will control further proceedings in this matter, subject to Commission review.**

Dated at Olympia, Washington, and effective this 16th day of November, 2004.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

C. Robert Wallis
Administrative Law Judge

APPENDIX A

PARTIES' REPRESENTATIVES
DOCKET NO. PG-030080

PARTY	REPRESENTATIVE	PHONE	FACSIMILE	E-MAIL
Commission Staff	Donald T. Trotter Assistant Attorney General 1400 S. Evergreen Park Drive S.W. P.O. Box 40128 Olympia, WA 98504-0128	(360) 664-1189	(360) 586-5522	dtrotter@wutc.wa.gov
Puget Sound Energy	Sheree Strom Carson Perkins Coie LLP 10885 NE Fourth Street Suite 700 Bellevue, WA 98004-5579	(425) 635-1400	(425) 635-2400	scarson@perkinscoie.com