

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND)	DOCKET U-111465
TRANSPORTATION COMMISSION,)	
)	
Complainant,)	
)	
v.)	NOTICE OF PREHEARING
)	CONFERENCE
PUGET SOUND ENERGY, INC.,)	(Set for February 9, 2012,
)	at 10:00 a.m.)
Respondent.)	
)	
.....)	

1 On December 14, 2011, Commission Staff¹ filed a complaint against Puget Sound Energy, Inc. (PSE). On December 30, 2011, PSE filed an answer to the complaint. The complaint alleges as many as 1,639 violations of WAC 480-90-128(6)(k) and/or WAC 480-100-128(6)(k), by improperly charging 1,639 customers a \$13 disconnection visit charge for visits other than for the purpose of actual disconnection. A more detailed account of the dispute is reflected in the complaint, which is available for inspection at the Commission’s office located at Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington, and on the Commission’s web site at www.utc.wa.gov/111465.

2 **STATUTORY AUTHORITY:** The Commission has jurisdiction over this matter under RCW Title 80. The statutes and regulations that apply to this matter include RCW 80.01, RCW 80.04, RCW 80.28, WAC 480-90, WAC 480-100, and WAC 480-07. Specific provisions include but are not limited to RCW 80.01.040, RCW 80.04.020, RCW 80.04.070, RCW 80.04.110, RCW 80.04.380, RCW 80.28.010, and RCW 80.28.040.

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.

3 The Commission will hear this matter under the Administrative Procedure Act (APA), particularly Part IV of RCW 34.05 relating to adjudications. The provisions of the APA that relate to this proceeding include, but are not limited to RCW 34.05.413, RCW 34.05.422, RCW 34.05.431, RCW 34.05.440, RCW 34.05.449, and RCW 34.05.452. The Commission will also follow its procedural rules in WAC 480-07 in this proceeding.

4 **THE COMMISSION GIVES NOTICE That it will hold a prehearing conference in this matter at 10:00 a.m., on Thursday, February 9, 2012, in the Commission's Hearing Room, Second Floor, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.**

5 The purpose of the prehearing conference is to consider requests for intervention, resolve scheduling matters including establishing dates for distributing evidence and workpapers, to identify the issues in the proceeding and determine other matters to assist the Commission in resolving the matter, as listed in WAC 480-07-430. In addition, the Commission will consider whether it would be an efficient use of Commission and party time and resources to consolidate this matter with another outstanding complaint against PSE.²

6 **INTERVENTION:** Persons who wish to intervene should file a petition to intervene in writing at least three business days before the date of the prehearing conference. *See* WAC 480-07-355(a). The Commission will consider oral petitions to intervene during the conference, but strongly prefers written petitions to intervene. Party representatives must file a notice of appearance with the Commission no later than the business day before the conference. *See* WAC 480-07-345(2). Any party or witness in need of an interpreter or other assistance should fill out the form attached to this notice and return it to the Commission. The Commission will set the time and place for any evidentiary hearings at the prehearing conference, on the record of a later conference or hearing session, or by later written notice.

7 **THE COMMISSION GIVES NOTICE that any party who fails to attend or participate in the prehearing conference set by this Notice, or any other stage of this proceeding, may be held in default under RCW 34.05.440 and WAC 480-07-450.**

² *WUTC v. PSE*, Docket U-110808.

8 The names and mailing addresses of all known parties and their known representatives are as follows:

Complainant: Washington Utilities and Transportation
Commission
1300 S. Evergreen Park Drive S.W.
P.O. Box 47250
Olympia, WA 98504-7250

Representative: Michael A. Fassio
Assistant Attorney General
1400 S. Evergreen Park Drive S.W.
P.O. Box 40128
Olympia, WA 98504-0128
(360) 664-1192
mfassio@utc.wa.gov

Respondent: Puget Sound Energy, Inc.
Tom DeBoer
Director, Federal and State Regulatory Affairs
P.O. Box 97034
Bellevue, WA 98009-9734

Representative: Jason Kuzma
Donna L. Barnett
Perkins Coie LLP
10885 N.E. Fourth Street, Suite 700
Bellevue, WA 98004-5579
(425) 635-1400
jkuzma@perkinscoie.com
dbarnett@perkinscoie.com

Public Counsel: Simon J. ffitich
Public Counsel Section
Office of Attorney General
800 Fifth Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 389-2055
simonf@atg.wa.gov

- 9 Administrative Law Judge Patricia Clark, from the Commission's Administrative Law Division, will preside during this proceeding.
- 10 The Commission will give parties notice of any other procedural phase of the proceeding in writing or on the record, as appropriate during this proceeding.

DATED at Olympia, Washington, and effective January 5, 2012.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER
Executive Director and Secretary

Inquiries may be addressed to:

Executive Director and Secretary
Washington State Utilities and
Transportation Commission
Richard Hemstad Building
1300 S. Evergreen Park Drive S.W.
P.O. Box 47250
Olympia, WA 98504-7250
(360) 664-1160

- or - Public Counsel Section
Office of the Attorney General
800 Fifth Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

NOTICE

Hearing facilities are accessible to persons with disabilities. Smoking is prohibited. If limited English-speaking, hearing-impaired parties or witnesses are involved in a hearing and need an interpreter, a qualified interpreter will be appointed at no cost to the party or witness.

If you need an interpreter, or have other special needs, please fill out this form and return it to Washington State Utilities and Transportation Commission, Attention: David W. Danner, 1300 S. Evergreen Park Drive SW, P. O. Box 47250, Olympia, WA 98504-7250. (PLEASE SUPPLY ALL REQUESTED INFORMATION)

Docket : _____

Case Name: _____

Hearing Date: _____ Hearing Location: _____

Primary
Language: _____

Hearing Impaired (Yes) _____ (No) _____

Do you need a certified sign language interpreter:

Visual _____ Tactile _____

Other type of assistance needed: _____

English-speaking person who can be contacted if there are questions:

Name: _____

Address: _____

Phone No.: (____) _____