

WE-010718
WE-010911
RECEIVED

AUG 15 2002

ATTY GEN DIV
WUTC

August 13, 2002

Mr. David C. Ponzoha
Clerk of the Court
Washington Court of Appeals, Division II
945 Market Street, Suite 600
Tacoma, WA 98402


Re: Cities of Auburn, et al. v. Washington Utilities and Transportation Commission
Cause No. 28859-1-II

Dear Mr. Ponzoha:

Enclosed for filing are the original and two copies of the Stipulation for Dismissal in the above-entitled action. Please return one file-stamped copy of the Stipulation to me in the enclosed envelope. Copies have been served on other counsel as indicated.

Very truly yours,

PRESTON GATES & ELLIS LLP

By 
Carol S. Arnold

CSA:jas

Enclosures

cc: Kirstin Dodge
Mary Tennyson
Michael Charneski

K:\44541\00005\CSA\CSA_L32JW



COURT OF APPEALS
FOR THE STATE OF WASHINGTON
DIVISION II

CITIES OF AUBURN,
BREMERTON, DES
MOINES, FEDERAL WAY,
KENT, LAKEWOOD,
REDMOND, RENTON,
SEATAC, AND TUKWILA,

Petitioners,

v.

WASHINGTON UTILITIES
AND TRANSPORTATION
COMMISSION,

Respondent.

No. 28859-1-II

STIPULATION FOR
DISMISSAL

Petitioners Cities of Auburn , Bremerton, Des Moines,
Federal Way, Kent, Lakewood, Redmond, Renton, SeaTac, and
Tukwila, Respondent Washington Utilities and Transportation
Commission, and Intervenor Puget Sound Energy, Inc.,

(collectively "Parties") hereby stipulate and agree to the dismissal of the appeal herein as follows:

1. On June 3, 2002, the Parties entered into Settlement Terms for Relocation and Underground Conversions in Washington Utilities and Transportation Commission Docket No. UE-011570 ("Settlement"). Pursuant to the terms of the Settlement, Petitioners agreed under certain terms and conditions to dismiss the present appeal with prejudice.

2. The terms and conditions for dismissal have been satisfied. Therefore, the Parties, by and through their attorneys, stipulate and agree that the appeal herein should be dismissed with prejudice with each party to bear its own costs and attorneys fees.

DATED this 13th day of August, 2002.

PRESTON GATES & ELLIS LLP

By 

Carol S. Arnold, WSBA # 18474

Attorneys for Petitioners
Cities of Auburn, Bremerton, Des
Moines, Federal Way, Lakewood,
Redmond, Renton, SeaTac, and
Tukwila

ATTORNEY GENERAL OF THE STATE OF
WASHINGTON

By Mary M. Tennyson
Mary M. Tennyson, WSBA # 11197
Attorneys for Respondent
Puget Sound Energy, Inc.

PERKINS COIE LLP

By Kirstin S. Dodge, WSBA # 22039
Attorneys for Intervenor
Puget Sound Energy, Inc.


LAW OFFICE OF MICHAEL L.
CHARNESKI

By Michael L. Charneski
MICHAEL L. CHARNESKI, WSBA # 15735
Attorneys for City of Kent

ATTORNEY GENERAL OF THE STATE OF
WASHINGTON

By _____
Mary M. Tennyson, WSBA # 11197
Attorneys for Respondent
Puget Sound Energy, Inc.

PERKINS COIE LLP

By 
Kirstin S. Dodge, WSBA # 22039
Attorneys for Intervenor
Puget Sound Energy, Inc.

LAW OFFICE OF MICHAEL L.
CHARNESKI

By _____
MICHAEL L. CHARNESKI, WSBA # 15735
Attorneys for City of Kent

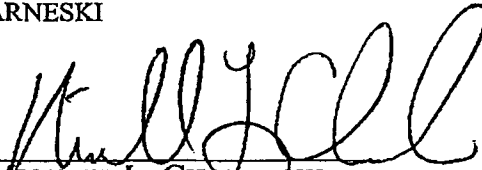
ATTORNEY GENERAL OF THE STATE OF
WASHINGTON

By _____
Mary M. Tennyson, WSBA # 11197
Attorneys for Respondent
Puget Sound Energy, Inc.

PERKINS COIE LLP

By _____
Kirstin S. Dodge, WSBA # 22039
Attorneys for Intervenor
Puget Sound Energy, Inc.

LAW OFFICE OF MICHAEL L.
CHARNESKI

By 
MICHAEL L. CHARNESKI, WSBA # 15735
Attorneys for City of Kent


CERTIFICATE OF SERVICE

I certify that I mailed a copy of the foregoing Stipulation for Dismissal via United States mail, postage prepaid, on the 13th day of August, 2002, to the following:

Ms. Mary M. Tennyson
Senior Assistant Attorney General
Office of Attorney General
1400 South Evergreen Park Drive S.W.
P.O. Box 40128
Olympia, WA 98504-0128

Mr. Michael L. Charneski
19812-194th Avenue N.E.
Woodinville, WA 98072-8876

Ms. Kirstin Dodge
Perkins Coie LLP
411-108th Avenue N.E., Suite 1800
Bellevue, WA 98004-5584



Carol S. Arnold
Attorneys for the Cities of
Auburn, Bremerton, Des
Moines, Federal Way,
Lakewood, Redmond, Renton,
SeaTac, and Tukwila