

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION

Complainant,

v.

PUGET SOUND ENERGY, INC.

Respondent.

DOCKET NO. UE-031725

PUBLIC COUNSEL RESPONSE TO
JOINT MOTION FOR
CONTINUANCE

Pursuant to the Notice entered on December 15, 2003, Public Counsel files the following response to the Joint Motion for Continuance

Public Counsel supports the Joint Motion, with a preference for the bifurcation alternative.

While the parties to the PCA settlement in PSE's last general rate case agreed to a four month target schedule for resource-only rate cases, the time period is a goal, not a mandatory limitation. *See generally, Washington Utilities and Transportation Commission v. Puget Sound Energy*, Docket Nos. UE 011570/UG 011571, Twelfth Supplemental Order, Attachment A, Exhibit A, Item 11. Public Counsel continues to support this goal, but it must be interpreted in a reasonable manner. The provision does not preclude the Commission from considering and granting a reasonable request from any party to modify the schedule, whether or not that party executed the agreement. The joint movants appear to make a justifiable case for a limited extension, noting several important issues that have developed that deserve analysis.

PSE's legitimate interest in certainty regarding the Frederickson transaction can be met by the bifurcation proposal, which would leave the schedule unaffected as to the Frederickson issue. For this reason, Public Counsel supports and prefers the bifurcation proposal. Other important issues, including the Tenaska and Encogen fuel costs which are implicated in both this docket and the PCA Annual Report Audit docket, UE-031389, can thus receive adequate

attention without delaying Fredericson matters. Public Counsel has agreed with PSE and Staff, in any event, to consolidated treatment of the Tenaska and Encogen issues in this docket.

The PSE general rate case settlement also states a companion goal of putting a new power cost rate into effect by the time the new resource would go into service. Docket UE-011570/UG-011571, Twelfth Supplemental Order, Attachment A, Exhibit A, Item 11. It does not appear that the extension proposed would interfere with that goal.

Respectfully submitted this 18th day of December, 2004.

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