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Via Electronic Mail

Carole J. Washburn
Secretary
Washington Utilities and Transportation Commission
PO Box 47250, 1300 S Evergreen Park Drive, SW
Olympia WA 98504-7250

Re: Rulemaking to Consider Possible Corrections and Changes in Rule in
Chapter 480-07 WAC Relating to Procedural Rules
Docket No. A-050802

Dear Ms. Washburn:

The Industrial Customers of Northwest Utilities (“ICNU”) appreciates this opportunity to submit comments regarding the Washington Utilities and Transportation Commission’s (“Commission” or “WUTC”) procedural rulemaking in Docket No. A-050802. ICNU generally supports the Commission’s efforts to improve the procedural rules to make practice before the Commission more predictable and efficient. In addition, ICNU has reviewed Public Counsel’s comments that are being filed today, and ICNU specifically supports Public Counsel’s recommendations. In particular, ICNU believes that it would be appropriate for the Commission to conduct a separate rulemaking to address issues related to settlements.

ICNU also recommends that the Commission make an additional change to WAC § 480-07-400 (discovery rules). The new rule proposes that parties may not seek discovery from Staff until Staff files its responsive case in a proceeding that is initiated by a complaint or petition. ICNU believes that this discovery “black out” period is appropriate, if the rule is extended to include intervenors and Public Counsel. Staff should be treated like any other independent party and should have the same rights, privileges, and responsibilities as intervenors. Therefore, intervenors should also be exempt from discovery until they file their responsive case.

Sincerely,

/s/ Irion Sanger
Irion Sanger