

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Joint Application of

PUGET SOUND ENERGY,
ALBERTA INVESTMENT
MANAGEMENT CORPORATION,
BRITISH COLUMBIA INVESTMENT
MANAGEMENT CORPORATION,
OMERS ADMINISTRATION
CORPORATION, and PGGM
VERMOGENSBEHEER B.V.

For an Order Authorizing Proposed
Sales of Indirect Interests in Puget
Sound Energy

DOCKET U-180680

ORDER 03

PREHEARING CONFERENCE
ORDER; NOTICE OF HEARING

**(Set for Friday, March 1, 2019,
at 9 a.m.)**

- 1 **NATURE OF PROCEEDING.** On September 5, 2018, Puget Sound Energy (PSE or Company) filed with the Washington Utilities and Transportation Commission (Commission) a joint application for the proposed sale of a 43.99 percent indirect ownership interest in PSE currently held by Macquarie Infrastructure Partners Inc. and Padua MG Holdings LLC, a Macquarie entity (collectively Macquarie) (Joint Application).
- 2 Puget Holdings LLC (Puget Holdings) indirectly holds 100 percent of the ownership interest in PSE. Macquarie intends to sell all of its 43.99 percent interest in Puget Holdings to four different buyers (collectively, with PSE, Joint Applicants). The sale, as proposed, would be apportioned as follows: a 6.01 percent equity interest to existing shareholder Alberta Investment Management Corporation, which will increase its equity interest share to 13.60 percent; a 4.01 percent equity interest to existing shareholder British Columbia Investment Management Corporation, which will increase its equity interest share to 20.87 percent; a 23.94 percent equity interest to new shareholder OMERS Administration Corporation; and, a 10.02 percent equity interest to new shareholder PGGM Vermogensbeheer B.V.

3 On September 21, 2018, the Commission issued a Notice of Opportunity to File Written
Comments by October 24, 2018, and Notice of Recessed Open Meeting scheduled for
November 5, 2018.

4 On October 24, 2018, the Public Counsel Unit of the Washington State Attorney
General's Office (Public Counsel), the Alliance of Western Energy Consumers (AWEC),
The Energy Project, and the Washington and Northern Idaho District Council of Laborers
(WNIDCL) filed a joint petition requesting that the Commission initiate an adjudicative
proceeding to review the transaction described in the Joint Application (Joint Petition).
The Joint Petition also requested that the Commission review the Joint Application under
the "net benefit" standard.

5 After hearing further public comments at a recessed open meeting on November 5, 2018,
and discussion at its regularly scheduled open meeting on November 8, 2018, the
Commission issued Order 01, Granting and Denying Petition for Adjudication, in Part, on
November 9, 2018 (Order 01). Order 01 granted the petitioners' request to commence an
adjudication, but clarified that the Commission will evaluate the Joint Application under
the public interest standard set out in WAC 480-143-170, not the "net benefit" standard
requested in the Joint Petition.

6 **CONFERENCE.** The Commission convened a prehearing conference in this docket at
Olympia, Washington on November 16, 2018, before Administrative Law Judges Rayne
Pearson and Andrew J. O'Connell.

7 **APPEARANCES.** Sheree S. Carson, Jason Kuzma, and Donna Barnett, Perkins Coie
LLP, Bellevue, Washington, represent PSE. Lisa W. Gafken and Nina Suetake, Assistant
Attorneys General, Seattle, Washington, represent Public Counsel. Jennifer Cameron-
Rulkowski and Harry Fukano, Assistant Attorneys General, Olympia, Washington,
represent Commission staff (Staff).¹ Simon J. ffitch, Attorney at Law, Bainbridge Island,
Washington, represents The Energy Project. Rita M. Liotta, Counsel for the Federal
Executive Agencies (FEA), San Francisco, California, represents FEA. Tyler Pepple,
Davison Van Cleve, P.C., Portland, Oregon, represents AWEC. Amy Wheelless, Wendy
Gerlitz, and Joni Bosh represent the NW Energy Coalition (NVEC). Ms. Danielle

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.

Franco-Malone represents WNIDCL. Mr. Bradley Medlin represents both the International Brotherhood of Electrical Workers Local 77 (IBEW) and the United Association Local 32 of Journeymen and Apprentices of the Plumbing and Pipefitting Industry of the U.S. and Canada (UA Local 32). Mr. J. Richard Lauckhart represents himself. Contact information for the representatives of those granted party status is attached as Appendix A to this Order.

8 **PETITIONS FOR INTERVENTION.** The following organizations and individual filed petitions to intervene:

The Energy Project	NWEC
AWEC	UA Local 32
WNIDCL	IBEW
FEA	J. Richard Lauckhart

9 Absent objections to the petitions to intervene filed by The Energy Project, AWEC, FEA, and NWEC, the Commission finds that these petitioners have established a substantial interest in this proceeding and that their participation will be in the public interest. Accordingly, the Commission grants those petitions.

10 The Joint Applicants and Staff objected to the petitions to intervene filed by WNIDCL, IBEW, UA Local 32, and J. Richard Lauckhart. At the prehearing conference, Public Counsel commented on, but did not oppose, each of the contested petitions. We grant the petitions filed by WNIDCL, IBEW, and UA Local 32, and deny Mr. Lauckhart’s petition, for the reasons discussed below.

11 **Standard of Review.** The Administrative Procedure Act (APA) states that a presiding officer may grant a petition to intervene in an adjudication “upon determining that the petitioner qualifies as an intervenor under any provision of law and that the intervention sought is in the interests of justice and will not impair the orderly and prompt conduct of the proceedings.”² Commission rules provide the presiding officer with discretion to grant intervention “[i]f the petition discloses a substantial interest in the subject matter of the hearing or if the petitioner’s participation is in the public interest.”³ In addition, “the

² RCW 34.05.443(1).

³ WAC 480-07-355(3).

presiding officer may impose conditions upon the intervenor's participation in the proceedings."⁴ To determine whether a petitioner has a substantial interest in the proceeding, the Commission applies a "zone of interest test" that requires the petitioner to demonstrate that there is a nexus between the stated purpose of its intervention and an interest protected by a Washington statute within the Commission's jurisdiction.⁵ Applying these standards, we address each petition in turn.

12 **WNIDCL.** In its petition, WNIDCL argues that its members have a substantial interest in the proposed transaction because it would directly affect approximately 350 members who perform work for contractors working on PSE's distribution and mainline pipelines, as well as traffic control work ancillary to pipeline work. WNIDCL proposes to offer information related to the proceeding, including wage rates, training requirements, construction standards, local employment impacts, and workforce development investments. WNIDCL contends that no other party can represent its interests because it has a unique perspective on the importance of retaining a well-trained workforce to ensure the safety and reliability of PSE's system.

13 Conversely, the Joint Applicants argue that the interests WNIDCL raises – contractual collective bargaining issues – exceed the Commission's jurisdiction, and that "safety and reliability" information is outside the scope of the proceeding. The Joint Applicants also argue that the Commission previously denied WNIDCL's intervention in Docket U-072375 when Puget Holdings acquired all of the outstanding shares of common stock issued by PSE (2008 Acquisition). As such, the Joint Applicants contend that WNIDCL should not be granted intervenor status in this proceeding.

14 Staff argues that it is not clear what information WNIDCL has about safety and reliability, and notes that WNIDCL was denied intervenor status in the 2008 Acquisition.

15 We agree with the Joint Applicants and Staff that WNIDCL has not demonstrated a substantial interest in the subject matter of this proceeding. There is no nexus between its stated purpose for intervention – *i.e.*, employment issues governed by the collective bargaining agreement such as wage rates and training requirements – and an interest

⁴ RCW 34.05.443(2); accord WAC 480-07-355(3).

⁵ *In Re Joint Application of Verizon Communications, Inc. and Frontier Communications Corporation for an Order Declining to Assert Jurisdiction Over, or, in the Alternative, Approving the Indirect Transfer of Control of Verizon Northwest, Inc.*, Docket UT-090842, Order 05, ¶ 14 (Sep. 10, 2009) [hereinafter Docket UT-090842].

protected by a Washington statute within the Commission's jurisdiction. The Commission has no authority over collective bargaining issues or terms and conditions of employment for WNIDCL's members.

- 16 We nevertheless find that permitting WNIDCL to intervene in this case is in the public interest because its participation will be useful to the Commission in compiling an appropriate record. In Order 05 in Docket UT-090842, we granted IBEW's petition for intervention on interlocutory review because we found that "the observations of its members as to their work 'in the field' pertains directly to safety and reliability issues within the purview of the Commission."⁶ We disagree with the Joint Applicants' position that there is "nothing WNIDCL could provide the Commission from a safety and reliability perspective that would demonstrate that [the proposed transfers] would harm the public."⁷ Information showing whether the proposed transaction would be detrimental to the safety and reliability of PSE's system is relevant to the Commission's evaluation of whether the proposed transaction would result in "no harm" to customers. Consideration of such information therefore is in the public interest.
- 17 As with its participation in the proceeding concerning Hydro One Limited's acquisition of Avista Corporation, WNIDCL will be limited to matters specifically addressing the safety and reliability of service to customers where its members are actually involved in the provision of such service.⁸ We expressly decline to consider any labor relations matters in this proceeding covered by the collective bargaining agreement. In the event it becomes clear later in the proceeding that WNIDCL's continued participation is not in the public interest, the Commission has the authority to dismiss WNIDCL as an intervenor.⁹
- 18 **IBEW and UA Local 32.** In its petition, UA Local 32 argues that it has a substantial interest in this proceeding. Because its primary workers maintain, service, and operate PSE's gas infrastructure, UA Local 32 asserts that it has an interest in any changes regarding PSE's contracting with third-parties for main installation, trenching, gas fitting, piping, and other utility work. UA Local 32 also argues that it possesses information

⁶ Docket UT-090842, Order 05, ¶ 16.

⁷ Joint Applicants' Opposition to WNIDCL Petition to Intervene, ¶ 24.

⁸ See *In the Matter of the Joint Application of Hydro One Limited (acting through its indirect subsidiary, Olympus Equity LLC) and Avista Corporation for an Order Authorizing Proposed Transaction*, Docket U-170970, Order 03 (Nov. 20, 2017).

⁹ WAC 480-07-355(4).

about maintaining gas infrastructure and safety protocols that no other party is likely to provide.

- 19 In its petition, IBEW argues it has a substantial interest in this proceeding as the exclusive bargaining representative for 800 PSE employees because the proposed transactions could lead to workplace changes for its members. IBEW further argues that the transfer will substantially affect its members because they carry out PSE's operations. IBEW contends it possesses information no other party can provide related to wages, hours, safety standards, storm responsiveness, training, construction, staffing, service quality, and customer service.
- 20 The Joint Applicants argue that the issues UA Local 32 and IBEW seek to address are all labor issues covered by the collective bargaining agreement. Accordingly, the Joint Applicants assert that the Commission does not have jurisdiction over these issues and the petitions for intervention should be denied on that basis.
- 21 Staff also argues that UA Local 32 and IBEW should not be granted intervention. Staff asserts that their participation will not help the Commission make a decision because the type of information they propose to offer concerns PSE's operations rather than the transfer of property at issue in this proceeding.
- 22 We agree with the Joint Applicants and Staff that UA Local 32 and IBEW do not have a substantial interest in this proceeding. As discussed above, employment issues such as workplace changes, labor contracts, wages, hours, and staffing are outside the Commission's purview. We find, however, that UA Local 32's and IBEW's participation may be useful to the Commission in compiling an appropriate record and determining whether the proposed transactions will result in "no harm" to PSE's customers. As such, we conclude that granting their petitions to intervene is in the public interest.
- 23 UA Local 32 and IBEW, like WNIDCL, will be limited to matters specifically addressing the safety and reliability of service to customers where its members are actually involved in the provision of such service. However, in the event it becomes clear later in the proceeding that either UA Local 32's or IBEW's continued participation is not in the public interest, the Commission has authority to dismiss either, or both, as an intervenor.¹⁰

¹⁰ WAC 480-07-355(4).

- 24 We recognize that this is the first time we have granted labor unions intervenor status in a proposed transfer of property evaluated under the public interest standard. We expect that no party, including any intervenor, will unnecessarily frustrate or delay this proceeding.
- 25 **J. Richard Lauckhart.** In his petition, Mr. Lauckhart argues that his participation in this proceeding will assist the Commission in resolving issues related to PSE’s transmission planning by proposing conditions on the ownership transfer that will prohibit PSE from building an unnecessary and dangerous project. Mr. Lauckhart argues that he has a substantial interest in this proceeding that will not be adequately represented by any other party, and that he is uniquely qualified to intervene in this proceeding to ensure that the public interest will not be harmed by the change in ownership.
- 26 The Joint Applicants argue that Mr. Lauckhart’s issues with PSE’s transmission planning are irrelevant to this proceeding, and that he has failed to establish a nexus between his reasons for seeking intervention and a protected statutory interest. The Joint Applicants contend that although Mr. Lauckhart failed to state his interest in his petition, his earlier comments relate to a long-standing disagreement over PSE’s Energize Eastside project. As such, the Joint Applicants contend that Mr. Lauckhart’s proposed commitments are inappropriate for consideration in this proceeding and depart from the “no harm” standard under which the Commission will review the proposed transactions.
- 27 On November 15, 2018, Mr. Lauckhart filed a response to the Joint Applicants’ response to his petition. In his response, Mr. Lauckhart notes that he is a PSE customer, and that he intends to focus his participation on addressing the problems with PSE’s transmission planning that have arisen under foreign ownership by proposing conditions that will require PSE to increase its transparency in this area.
- 28 We agree with the Joint Applicants and Staff that Mr. Lauckhart failed to demonstrate that he has a substantial interest in this proceeding that is not already adequately represented by any other party. Mr. Lauckhart is a former employee and current PSE residential customer. The fact that Mr. Lauckhart is a PSE customer who claims to represent other PSE customers does not establish a nexus between his reasons for seeking intervention and a protected statutory interest. As the Joint Applicants observe, Mr. Lauckhart may not act as a private attorney general. Public Counsel is charged with representing the people of the state of Washington in proceedings before the Commission.¹¹ In particular, this means that Public Counsel represents PSE’s residential

¹¹ RCW 80.04.520.

customers, including Mr. Lauckhart and the other residential customers he claims to represent. Both his and their interests are already represented adequately.

29 We also find that the public interest does not require that we grant Mr. Lauckhart's petition to intervene. Mr. Lauckhart's arguments in support of his petition are misplaced for two reasons. First, Public Counsel represents and appears on behalf of residential customers. Second, we disagree that Mr. Lauckhart's prior knowledge of PSE, due to his employment, serves as a basis for granting his petition. While we do not discount the potential value that Mr. Lauckhart may have to other parties as an expert witness, we disagree that knowledge related to his former employment with the Company suffices as a foundation for party status. Were we to accept such an argument, the Commission would be compelled to grant the request of any expert witness who sought intervention in Commission proceedings rather than permitting them to participate by offering testimony and exhibits on behalf of a party. The latter is the appropriate avenue for Mr. Lauckhart. In addition, Mr. Lauckhart has filed extensive comments in this docket – including his proposed conditions – that are already part of the evidentiary record. For these reasons, we determine that granting Mr. Lauckhart party status would not aid the Commission in its evaluation of the Joint Application and is not in the public interest.

30 **PROTECTIVE ORDER.** The Commission entered in this docket on November 9, 2018, Order 02, Protective Order with Highly Confidential Provisions.

31 **DISCOVERY.** Discovery will be conducted under the Commission's discovery rules, WAC 480-07-400 – 425, with the following limitations and conditions.¹² Joint Applicants made their initial filing in this docket on September 5, 2018. The Commission gave notice on September 21, 2018, that it would allow public comment on the filing for consideration at a Commission recessed open meeting on November 5, 2018. In the intervening time, Staff conducted informal discovery, propounding approximately 18 data requests to the Joint Applicants. This information was shared with other parties and potential intervenors, such as Public Counsel and AWEC. To the extent the Joint Applicants have not yet distributed all of these data request responses to the parties, we expect and require the Joint Applicants to do so once confidentiality agreements have been filed.

32 Further, the Commission believes it will aid discovery in this case if every data request and each response thereto is shared with all parties. No party objects to the Commission

¹² WAC 480-07-110.

making the exchange of data requests and responses with all parties a requirement for discovery in this case. Accordingly, we require the parties to share every data request and response with all parties, subject to any confidentiality limitations contained in Commission rule or the protective order issued in this docket.

- 33 The parties agreed that each party should be limited to 30 data requests prior to the filing of responsive testimony. The parties also agreed that the Joint Applicants should be limited to 30 data requests issued to each other party prior to the filing of rebuttal testimony. The parties also agreed that all parties should be limited to 10 data requests issued to each of the other parties after the filing of rebuttal and cross-answer testimony. Finally, the parties agreed that each subpart of a data request constitutes a separate and distinct request. This guideline applies to all data requests issued at all stages in this proceeding. We adopt the parties' agreements on these issues and limit the data requests from each party accordingly.
- 34 The parties did not address whether any limitation should be placed on data requests that Staff, Public Counsel, and the Intervenors propound to each other in formulating any cross-answering testimony. We believe that such a limitation is appropriate and consistent with the other limitations on discovery either agreed to by the parties or set by this Order. Accordingly, we limit each party to issuing 10 data requests to other non-Applicant parties prior to filing cross-answering testimony.
- 35 At least one party served data requests soon after the open meeting on November 8, 2018, and before the prehearing conference on November 16, 2018. Earlier, in Order 01 in this Docket, the Commission expressed its intent to limit discovery but did not set specific parameters. Under these circumstances we agree with the parties that it is appropriate to exempt the data requests made prior to the prehearing conference from the discovery limitations contained in this Order.¹³
- 36 We find it appropriate to limit the response time for data requests prior to the filing of responsive testimony to 7 business days, as the parties initially proposed, to expedite discovery.¹⁴ We limit the response time for data requests after the filing of responsive testimony and prior to the filing of rebuttal and cross-answer testimony to 5 business

¹³ As a matter for future reference, parties should seek guidance from the Commission prior to issuing data requests when the Commission has stated its intention to limit discovery but has not yet established parameters governing discovery practice.

¹⁴ See WAC 480-07-405(7)(ii).

days. This limitation applies to the parties' responses to data requests asked by the Joint Applicants and those asked by other non-Applicant parties. Finally, we limit the response time for data requests after the filing of rebuttal and cross-answering testimony to 3 business days.

37 The Commission urges the parties to work cooperatively together to avoid having to bring discovery matters forward for formal resolution.

38 **PROCEDURAL SCHEDULE.** The Commission provided the parties an opportunity to collaborate and reach an agreed procedural schedule, but the parties were unable to reach such an agreement. The Commission accordingly adopts the procedural schedule attached to this Order as Appendix B, taking into account the preferences, conflicts, and considerations presented by the parties at the prehearing conference.

39 We find that a settlement conference should be scheduled for December 18, 2018, prior to the deadline for filing responsive testimony.

40 The parties were unable to agree on a hearing date. We selected a date when the Commissioners can be available and that appears to present the least amount of conflict for the greatest number of parties. Having done this, we caution that the Commission's business is as important as any other. We cannot allow the asserted scheduling difficulties of one or two parties to burden or delay this proceeding. Bearing these considerations in mind, we set the evidentiary hearing for March 1, 2019, beginning at 9 a.m. We believe this provides a sufficient amount of time to permit all parties to make any necessary arrangements that will permit them to participate in a one-day evidentiary hearing.

41 **DOCUMENT FILING AND SERVICE REQUIREMENTS.** Parties must file and serve all pleadings, motions, briefs, and other prefiled materials in compliance with all of the following requirements:

- (a) Parties must submit electronic copies of all documents by 5 p.m. on the filing deadline established in the procedural schedule (or other deadline as applicable) unless the Commission orders otherwise. Parties must comply with WAC 480-07-140(6) in formatting, organizing, and identifying electronic files. Documents that include information designated as confidential must comply with the requirements in WAC 480-07-160 and the Protective Order in these dockets.

- (b) The Commission accepts only electronic versions of documents for formal filing. The Commission requires electronic copies to be in searchable .pdf format (adobe acrobat or comparable software), or to otherwise comply with WAC 480-07-140(6)(a). Parties must submit documents electronically through the Commission's web portal (www.utc.wa.gov/e-filing). If a party is unable to use the web portal to submit documents for filing, the Commission will accept a submission via email to records@utc.wa.gov provided the email: (1) explains the reason the documents are not being submitted via the web portal, and (2) complies with the requirements in WAC 480-07-140(5)(b).
- (c) Parties must also file **an original and four (4)** paper copies (with original signatures, if applicable) of the documents with the Commission by 5 p.m. on the next business day following the filing deadline established in the procedural schedule (or other deadline as applicable) unless the Commission orders otherwise. If any of the exhibits contain information designated as confidential or highly confidential, parties must also file an electronic copy in searchable .pdf (adobe acrobat or comparable software), the original paper copy, and one (1) paper copy of each redacted version of each such exhibit. All hard copy filings must be mailed or otherwise delivered to the Executive Director and Secretary, Washington Utilities and Transportation Commission, P.O. Box 47250, 1300 S. Evergreen Park Drive S.W., Olympia, Washington 98504-7250.
- (d) Documents filed with the Commission must conform to the formatting and other requirements in WAC 480-07-395 and WAC 480-07-460, and must comply with the requirements in WAC 480-07-160 and the Protective Order in this docket for documents that include information designated as confidential or highly confidential.
- (e) Parties must electronically serve the other parties and provide courtesy electronic copies of filings to the presiding administrative law judges (rayne.pearson@utc.wa.gov and andrew.j.oconnell@utc.wa.gov) by 5 p.m. on the filing deadline unless the Commission orders otherwise. If parties are unable to email copies, they may furnish electronic copies by delivering them on a flash drive only.

acrobat or comparable software), the original paper copy, and four (4) paper copies of the exhibits. If any of the exhibits contain information designated as confidential or highly confidential, parties must also file an electronic copy in searchable .pdf (adobe acrobat or comparable software), the original paper copy, and one (1) paper copy of each redacted version of each such exhibit. The exhibits must be grouped according to the witness the party intends to cross examine with the exhibits. The paper copies of the exhibits also must be organized into sets that are tabbed and labeled.

- 43 **EXHIBIT LISTS.** With each submission of prefiled testimony and exhibits, the party making the submission must include a preliminary exhibit list that identifies each submitted exhibit in the format the Commission uses for exhibit lists it prepares for evidentiary hearings. Joint Applicants will prepare and file their preliminary exhibit list for their initial filing in this docket. Each party must file and serve a final list of all exhibits the party intends to introduce into the evidentiary record, including all prefiled testimony and exhibits, as well as cross-examination exhibits by **5 p.m., February 22, 2019.**
- 44 **CROSS-EXAMINATION TIME ESTIMATES.** Each party must provide a list of witnesses the party intends to cross-examine at the evidentiary hearing and an estimate of the time that party anticipates the cross-examination of that witness will take. Parties should not file witness lists or cross-examination time estimates but must provide them to the administrative law judges (rayne.pearson@utc.wa.gov and andrew.j.oconnell@utc.wa.gov) and the other parties by **5 p.m., February 22, 2019.**
- 45 **NOTICE OF HEARING.** The Commission will hold an evidentiary hearing in this matter on **March 1, 2019**, at **9 a.m.**, in the Commission's Hearing Room, Second Floor, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.
- 46 **ALTERNATE DISPUTE RESOLUTION.** The Commission supports the informal settlement of matters before it. Parties are encouraged to consider means of resolving disputes informally. The Commission has limited ability to provide dispute resolution services. If you wish to explore those services, please contact Rayne Pearson, Director, Administrative Law Division (rayne.pearson@utc.wa.gov or 360-664-1136).
- 47 **NOTICE TO PARTIES: A party who objects to any portion of this Order must file a written objection within ten (10) calendar days after the service date of this Order, pursuant to WAC 480-07-430 and WAC 480-07-810. The service date appears on the first page of the order in the upper right-hand corner. Absent such objection,**

this Order will control further proceedings in this matter, subject to Commission review.

Dated at Olympia, Washington, and effective November 21, 2018.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

ANDREW J. O'CONNELL
Administrative Law Judge

**APPENDIX A
PARTIES' REPRESENTATIVES
DOCKET U-180680**

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**APPENDIX B
PROCEDURAL SCHEDULE
DOCKET U-180680**

EVENT	DATE
Joint Applicants' Filing	September 5, 2018
Order 01, Protective Order (Order 02)	November 9, 2018
Prehearing Conference	November 16, 2018
Prehearing Conference Order (Order 03) ¹⁵	November 21, 2018
Initial Settlement Conference	December 18, 2018
Staff, Public Counsel, and Intervenor Response Testimony and Exhibits ¹⁶	January 11, 2019
Joint Applicants' Rebuttal Testimony and Exhibits; Staff, Public Counsel, and Intervenor Cross-Answering Testimony and Exhibits ¹⁷	February 5, 2019
Discovery Deadline – Last Day to Issue Data Requests	February 15, 2019
Cross-Examination Exhibits, Witness Lists, and Time Estimates	February 22, 2019
Evidentiary Hearing	March 1, 2019, at 9 a.m.
Simultaneous Post-Hearing Briefs	March 22, 2019

¹⁵ Response time to data requests will be 7 business days. Refer to Prehearing Conference Order for limitations on data requests.

¹⁶ Response time to data requests will be 5 business days. Refer to Prehearing Conference Order for limitations on data requests.

¹⁷ Response time to data requests will be 3 business days. Refer to Prehearing Conference Order for limitations on data requests.