

Deposition Appearance Pages
(Various)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

POLLUTION CONTROL HEARINGS BOARD
FOR THE STATE OF WASHINGTON

ADVOCATES FOR A CLEANER)
TACOMA; SIERRA CLUB;)
WASHINGTON ENVIRONMENTAL)
COUNCIL; WASHINGTON)
PHYSICIANS FOR SOCIAL) No. PCHB NO. P19-087c
RESPONSIBILITY; STAND.)
EARTH and THE PUYALLUP)
TRIBE OF INDIANS,)
))
Appellants,)
))
vs.)
))
PUGET SOUND CLEAN AIR)
AGENCY and PUGET SOUND)
ENERGY,)
))
Respondents.)

REMOTE DEPOSITION UPON ORAL EXAMINATION OF
JAN HAGEN ANDERSEN

Location of Witness:

Houston, Texas

DATE TAKEN: January 19, 2021

REPORTED BY: Sharon L. Westling, CCR # 2301

1 APPEARANCES
2 APPEARING REMOTELY

3 FOR THE APPELLANTS JAN E. HASSELMAN, ESQ.
4 Advocates for a JAIMINI PAREKH, ESQ.
5 Cleaner Tacoma; EARTHJUSTICE
6 Sierra Club; 810 Third Avenue
7 Washington Suite 610
8 Environmental Seattle, WA 98104
9 Council; Washington 206.343.7340
10 Physicians for Jhasselman@Earthjustice.Org
11 Social Jparekh@earthjustice.org
12 Responsibility;
13 Stand.earth

9 FOR THE APPELLANTS GEOFF J.M. BRIDGMAN
10 PUYALLUP TRIBE OF Ogden Murphy Wallace, PLLC
11 INDIANS: 901 5th Avenue
12 Suite 3500
13 Seattle, WA 98164
14 206.447.7000
15 Gbridgman@omwlaw.com

14 LISA A. ANDERSON, ESQ.
15 Law Office, Puyallup Indian
16 Tribe
17 3009 East Portland Avenue
18 Tacoma, WA 98404
19 Lisa.anderson@puyalluptribe-
20 nsn.gov

18 FOR PUGET SOUND SARA LEVERETTE, ESQ.
19 ENERGY: Van Ness Feldman
20 Millennium Tower
21 1191 Second Avenue
22 Suite 1800
23 Seattle, WA 98101
24 206.829.1805
25 Sleverette@vnf.com

22 PUGET SOUND CLEAN JENNIFER DOLD
23 AIR AGENCY: Puget Sound Clean Energy
24 1904 3rd Avenue #105
25 Seattle, WA 98101
Jenniferd@psccleanair.gov
-o-o-

1 JAN HAGEN ANDERSEN:

2 Examination by Mr. Hasselman.....Page 5

3 Examination by Mr. Bridgman.....Page 108

4

5 E X H I B I T S

6 No. 1 document from Dr. Elizabeth
7 Lindstad at SINTEFF in Norway,
8 ACT 2.....Page 18

9 No. 2 Andersen's January declaration.....Page 23

10 No. 3 ACT 10, ICCT.....Page 32

11 No. 4 report from Transport & Environment,
12 ACT 1.....Page 40

13 No. 5 2019 maritime forecast through 2050,
14 ACT 11.....Page 45

15 No. 6 feasibility study, ACT 13.....Page 103

16 No. 7 PSE's expert witness disclosures,
17 ACT 7.....Page 106

18

19

20

21

22

23

24

25

In the Matter Of:

ACT v

PSCAA

MATTHEW STOBART

February 16, 2021



POLLUTION CONTROL HEARINGS BOARD

STATE OF WASHINGTON

ADVOCATES FOR A CLEANER)	
TACOMA, SIERRA CLUB,	)	PHCB No.
WASHINGTON ENVIRONMENTAL)	
COUNCIL, WASHINGTON	)	P19-087C
PHYSICIANS FOR SOCIAL)	
RESPONSIBILITY, STAND.EARTH,)	
and THE PUYALLUP TRIBE OF)	
INDIANS,)	
	)	VOLUME 1 OF 2
Appellants,)	
vs.)	
)	
PUGET SOUND CLEAN AIR AGENCY;)	
PUGET SOUND ENERGY, INC.)	
)	
Respondents.)	

REMOTE VIDEOTAPED 30(b)(6) DEPOSITION

UPON ORAL EXAMINATION

OF

CHICAGO BRIDGE & IRON COMPANY

BY

MATTHEW STOBART

February 16, 2021

9:02 a.m. (CST)

Remotely Reported Stenographically By:
 Mayleen Ahmed, RMR, CRR, CRC
 Washington CCR No. 3402
 Job No.: 779265

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

REMOTE APPEARANCES VIA LEXITAS LEGALVIEW

On behalf of the Appellant
The Puyallup Tribe of Indians:

NICHOLAS G. THOMAS, ESQ.
GEOFF BRIDGMAN, ESQ.
OGDEN MURPHY WALLACE, P.L.L.C.
901 5th Avenue - Suite 3500
Seattle, Washington 98164
206.447.7000
nthomas@omwlaw.com
gbridgman@omwlaw.com

On behalf of the Respondent
Puget Sound Clean Air Agency:

JENNIFER DOLD, ESQ.
PUGET SOUND CLEAN AIR AGENCY
1904 Third Avenue - Suite 105
Seattle, Washington, 98101
206.689.4015
jenniferd@psccleanair.gov

On behalf of the Respondent
Puget Sound Energy, Inc.:

JOSHUA B. FRANK, ESQ.
ALLISON WATKINS MALLICK, ESQ.
BAKER BOTTS L.L.P.
700 K Street NW
Washington, D.C. 20001
202.639.7748
joshua.frank@bakerbotts.com
allison.mallick@bakerbotts.com

-and-

TADAS A. KISIELIUS, ESQ.
VAN NESS FELDMAN LLP
719 Second Avenue - Suite 1150
Seattle, Washington 98104
206.623.9372
tak@vnf.com

1 REMOTE APPEARANCES VIA LEXITAS LEGALVIEW (cont'd)

2 On behalf of the Respondent
3 Puget Sound Energy, Inc.:

4 THOMAS R. WOOD, ESQ.
5 STOEL RIVES LLP
6 760 SW Ninth Avenue - Suite 3000
7 Seattle, Oregon 97205
8 503.294.9396
9 tom.wood@stoel.com

10 On behalf of CB&I and McDermott International:

11 ALEXIS HESTER, Principal Legal Counsel
12 MIA JAHNCKE, Senior Legal Counsel
13 McDERMOTT INTERNATIONAL, LTD.
14 757 N. Eldridge Parkway
15 Houston, Texas 77079
16 281.870.5000
17 alexis.hester@mcdermott.com
18 mia.jahncke@mcdermott.com

19 ALSO PRESENT:

20 EDUARDO PÉREZ, Managing Legal & Compliance,
21 McDermott International [as noted]

22 THOMAS MULLEN, P.E., CB&I

23 PETER MURPHY, P.E.

24 RANAJIT SAHU, Ph.D., QEP, CEM

25 SCOTT PERLOFF, Video/Document Technician, Lexitas

---oOo---

In the Matter Of:

ACT v

PSCAA

MATTHEW STOBART

February 18, 2021



POLLUTION CONTROL HEARINGS BOARD

STATE OF WASHINGTON

ADVOCATES FOR A CLEANER)	
TACOMA, SIERRA CLUB,	)	PHCB No.
WASHINGTON ENVIRONMENTAL)	
COUNCIL, WASHINGTON	)	P19-087C
PHYSICIANS FOR SOCIAL)	
RESPONSIBILITY, STAND.EARTH,)	
and THE PUYALLUP TRIBE OF)	
INDIANS,)	
	)	VOLUME 2 OF 2
Appellants,)	
vs.)	
)	
PUGET SOUND CLEAN AIR AGENCY;)	
PUGET SOUND ENERGY, INC.)	
)	
Respondents.)	

CONTINUED REMOTE VIDEOTAPED 30(b)(6) DEPOSITION

UPON ORAL EXAMINATION

OF

CHICAGO BRIDGE & IRON COMPANY

BY

MATTHEW STOBART

February 18, 2021

9:01 a.m. (CST)

Remotely Reported Stenographically By:
 Mayleen Ahmed, RMR, CRR, CRC
 Washington CCR No. 3402
 Job No.: 779913

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

REMOTE APPEARANCES VIA LEXITAS LEGALVIEW

On behalf of the Appellant
The Puyallup Tribe of Indians:

NICHOLAS G. THOMAS, ESQ.
GEOFF BRIDGMAN, ESQ.
OGDEN MURPHY WALLACE, P.L.L.C.
901 5th Avenue - Suite 3500
Seattle, Washington 98164
206.447.7000
nthomas@omwlaw.com
gbridgman@omwlaw.com

On behalf of the Respondent
Puget Sound Clean Air Agency:

JENNIFER DOLD, ESQ.
PUGET SOUND CLEAN AIR AGENCY
1904 Third Avenue - Suite 105
Seattle, Washington, 98101
206.689.4015
jenniferd@psccleanair.gov

On behalf of the Respondent
Puget Sound Energy, Inc.:

JOSHUA B. FRANK, ESQ.
ALLISON WATKINS MALLICK, ESQ.
BAKER BOTTS L.L.P.
700 K Street NW
Washington, D.C. 20001
202.639.7748
joshua.frank@bakerbotts.com
allison.mallick@bakerbotts.com

-and-

TADAS A. KISIELIUS, ESQ.
VAN NESS FELDMAN LLP
719 Second Avenue - Suite 1150
Seattle, Washington 98104
206.623.9372
tak@vnf.com

1 REMOTE APPEARANCES VIA LEXITAS LEGALVIEW (cont'd)

2 On behalf of the Respondent
3 Puget Sound Energy, Inc.:

4 THOMAS R. WOOD, ESQ.
5 STOEL RIVES LLP
6 760 SW Ninth Avenue - Suite 3000
7 Seattle, Oregon 97205
8 503.294.9396
9 tom.wood@stoel.com

10 On behalf of CB&I and McDermott International:

11 MIA JAHNCKE, Senior Legal Counsel
12 ALEXIS HESTER, Principal Legal Counsel
13 McDERMOTT INTERNATIONAL, LTD.
14 757 N. Eldridge Parkway
15 Houston, Texas 77079
16 281.870.5000
17 mia.jahncke@mcdermott.com
18 alexis.hester@mcdermott.com

19 ALSO PRESENT:

20 THOMAS MULLEN, P.E., CB&I

21 RANAJIT SAHU, Ph.D., QEP, CEM

22 SCOTT PERLOFF, Video/Document Technician, Lexitas

23 ---o0o---

24

25

In the Matter Of:

ADVOCATES FOR A CLEANER TACOMA vs

PHCB PUGET SOUND CLEAN AIR AGENCY

CAROLE CENCI

December 15, 2020



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

REMOTE APPEARANCES VIA LEXITAS LEGALVIEW

On behalf of the Appellants
Advocates for a Cleaner Tacoma; Sierra Club, WA
Environmental Council, WA Physicians for Social
Responsibility, and Stand.Earth:

JAN HASSELMAN, ESQ.
EARTHJUSTICE
810 Third Avenue - Suite 610
Seattle, Washington 98104
206.343.7340
jhasselman@earthjustice.org

On behalf of the Appellant
The Puyallup Tribe of Indians:

GEOFF BRIDGMAN, ESQ.
NICHOLAS G. THOMAS, ESQ.
OGDEN MURPHY WALLACE, P.L.L.C.
901 5th Avenue - Suite 3500
Seattle, Washington 98164
206.447.7000
gbridgman@omwlaw.com
nthomas@omwlaw.com

-and

LISA A. ANDERSON, ESQ.
LAW OFFICE, PUYALLUP INDIAN TRIBE
3009 East Portland Avenue
Tacoma, Washington 98404
lisa.anderson@PuyallupTribe-nsn.gov

On behalf of the Respondent
Puget Sound Clean Air Agency:

JENNIFER DOLD, ESQ.
PUGET SOUND CLEAN AIR AGENCY
1904 Third Avenue - Suite 105
Seattle, Washington, 98101
206.689.4015
jenniferd@psc Clean Air.gov

1 REMOTE APPEARANCES VIA LEXITAS LEGALVIEW (cont'd)

2 On behalf of the Respondent
3 Puget Sound Energy, Inc.

4 JOSHUA B. FRANK, ESQ.
5 BAKER BOTTS L.L.P.
6 700 K Street NW
7 Washington, D.C. 20001
8 202.639.7748
9 joshua.frank@bakerbotts.com

10 -and-

11 THOMAS R. WOOD, ESQ.
12 STOEL RIVES LLP
13 760 SW Ninth Avenue - Suite 3000
14 Seattle, Oregon 97205
15 503.294.9396
16 tom.wood@stoel.com

17 -and-

18 TADAS A. KISIELIUS, ESQ.
19 VAN NESS FELDMAN LLP
20 719 Second Avenue - Suite 1150
21 Seattle, Washington 98104
22 206.623.9372
23 tak@vnf.com

24 ALSO PRESENT:

25 RICK CHRISTIAN, Media/Document Technician, Lexitas

---o0o---

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

BEFORE THE POLLUTION CONTROL HEARINGS BOARD

STATE OF WASHINGTON

ADVOCATES FOR A CLEANER TACOMA;)	
SIERRA CLUB; WASHINGTON)	
ENVIRONMENTAL COUNCIL; WASHINGTON)	
PHYSICIANS FOR SOCIAL)	
RESPONSIBILITY; STAND.EARTH, and	)	PCHB No. P19-087c
THE PUYALLUP TRIBE OF INDIANS, a)	
federally recognized Indian Tribe,)	
)	
Appellants,)	
)	
vs.)	
)	
PUGET SOUND CLEAN AIR AGENCY;)	
PUGET SOUND ENERGY, INC.,)	
)	
Respondents.)	

VIDEOCONFERENCE DEPOSITION OF PATRICK COUCH

January 21, 2021
Olympia, Washington
Pages 1 through 91

Reported by:
Andrea Clevenger, CCR No. 3041

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

APPEARANCES

For the Appellants:

Jan Hasselman
Earth Justice
810 Third Avenue
Suite 610
Seattle, Washington 98104
206.343.7340
jhasselman@earthjustice.org

For Appellant The Puyallup Tribe of Indians:

Geoff J.M. Bridgman
Lisa Anderson
Ogden Murphy Wallace, PLLC
901 5th Avenue
Suite 3500
Seattle, Washington 98164
206.447.7000
gbridgman@omwlaw.com

For Respondents Puget Sound Energy:

Sara A. Leverette
Tadas Kisielius
Erin Anderson
VanNess Feldman LLP
1191 Second Avenue
Suite 1800
Seattle, Washington 98101
206.802.3846
sleverette@vnf.com

For Respondent Puget Sound Clean Air Agency:

Jennifer A. Dold
Puget Sound Clean Air Agency
1904 3rd Avenue
Suite 105
Seattle, Washington 98101
206.689.4015
206.343.7522 Fax
jenniferd@psc Clean Air Agency

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

EXAMINATION INDEX

EXAMINATION BY:	PAGE NO.
Mr. Hasselman	5
Ms. Leverette	87

EXHIBIT INDEX

EXHIBIT NO.	DESCRIPTION	PAGE NO.
Exhibit No. 1	4-page email string; PSE02972139-142.	16
Exhibit No. 2	3-page email string; PSE02976770-772.	21
Exhibit No. 3	11-page study by Elton Chad, et al., "Eight-Year Estimates of Methane Emissions from Oil and Gas Operations in Western Canada are Nearly Twice Those Reported in Inventories."	49
Exhibit No. 4	10-page study by Matthew R. Johnson, et al., "Comparisons of Airborne Measurements and Inventory Estimates of Methane Emissions in the Alberta Upstream Oil and Gas Sector."	52
Exhibit No. 5	2-page email from Keith Faretra dated March 8, 2018; PSE02972143-44.	78
Exhibit No. 6	119-page letter to Steven Van Slyke from Keith Faretra dated May 25, 2018 Re: Tacoma LNG Project SEIS Information Request Response; A-PSE00081882-82000.	81

In the Matter Of:

ACT vs

Puget Sound Clean Air Agency

BILL DONAHUE

December 16, 2020



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

POLLUTION CONTROL HEARINGS BOARD
STATE OF WASHINGTON

ADVOCATES FOR A CLEANER TACOMA,
SIERRA CLUB, WASHINGTON ENVIRONMENTAL COUNCIL,
WASHINGTON PHYSICIANS FOR SOCIAL RESPONSIBILITY,
STAND.EARTH, AND THE PUYALLUP TRIBE OF INDIANS,

Appellants,

PHCB NO. P19-087C

-vs-

PUGET SOUND CLEAN AIR AGENCY,
PUGET SOUND ENERGY, INC.,

Respondents.

RULE 30(b)(6)

REMOTE VIDEOTAPED DEPOSITION

OF

BILL DONAHUE

December 16, 2020

Job No. 2020-767013
Reported by: Amy L. Larson, RPR

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

RULE 30(b)(6) REMOTE VIDEOTAPED DEPOSITION OF
BILL DONAHUE, taken on this 16th day of December,
2020, commencing at approximately 12:00 p.m.,
reported stenographically by Amy L. Larson, a
Registered Professional Reporter and
Notary Public.

1 APPEARANCES:

2 Counsel for Appellants Advocates
3 For A Cleaner Tacoma; Sierra Club;
4 WA Environmental Council; WA Physicians For
5 Social Responsibility; And Stand.Earth:

6 Jan Hasselman, Esquire
7 jhasselman@earthjustice.org
8 Jaimini Parekh, Esquire
9 jparekh@earthjustice.org
10 Earthjustice
11 810 Third Avenue, Suite 610
12 Seattle, WA 98104

13 Co-Counsel for Puget Sound Energy, Inc.:

14 Joshua B. Frank, Esquire
15 joshua.frank@bakerbotts.com
16 Sterling Marchand, Esquire
17 sterling.marchand@bakerbotts.com
18 Baker Botts
19 700 K Street NW
20 Washington, D.C. 20001

21 Counsel for Respondent
22 Puget Sound Energy, Inc.:

23 Tadas A. Kisielius, Esquire
24 tak@vnf.com
25 Sara Leverette, Esquire
sleverette@vnf.com
Van Ness Feldman, LLP
719 Second Avenue, Suite 1150
Seattle, WA 98104

Counsel for Appellant The Puyallup Tribe of
Indians:

Geoff J.M. Bridgman, Esquire
gbridgman@omwlaw.com
Nicholas Thomas, Esq.
nthomas@omwlaw.com
Ogden Murphy Wallace, PLLC
901 5th Avenue, Suite 3500
Seattle, WA 98164

1 APPEARANCES: (Cont'd.)

2 Counsel for Puget Sound Clean Air Agency:

3 Jennifer Dold, Esquire
jenniferd@psc Clean Air.gov
4 Jennifer Elias, Esquire
jenniferE@psc Clean Air.gov
5 Puget Sound Clean Air Agency
1904 3rd Avenue, Suite 105
6 Seattle, WA 98101

7 Co-Counsel for the Puyallup Tribe of Indians:

8 Lisa A. Anderson, Esquire
lisa.anderson@puyalluptribe-nsn.gov
9 Law Office, Puyallup Indian Tribe
3009 East Portland Avenue
10 Tacoma, WA 98404

11

12

13 ALSO PRESENT: Lorna Luebbe, Esquire
Ed Caswell, IV, Videographer

14

15

16

17

18

19

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

INDEX:

EXAMINATION BY: PAGE
Mr. Hasselman.....9

NO EXHIBITS MARKED FOR IDENTIFICATION

In the Matter Of:

ACT v

PSCAA

WILLIAM FRANCIS DONAHUE

December 30, 2020



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

POLLUTION CONTROL HEARINGS BOARD

STATE OF WASHINGTON

ADVOCATES FOR A CLEANER)	
TACOMA, SIERRA CLUB,	)	PHCB No.
WASHINGTON ENVIRONMENTAL)	
COUNCIL, WASHINGTON	)	P19-087C
PHYSICIANS FOR SOCIAL)	
RESPONSIBILITY, STAND.EARTH,)	
and THE PUYALLUP TRIBE OF)	
INDIANS,)	
)	
Appellants,)	
vs.)	
)	
PUGET SOUND CLEAN AIR AGENCY;)	
PUGET SOUND ENERGY, INC.)	
)	
Respondents.)	

REMOTE VIDEOTAPED 30(b)(6) DEPOSITION

UPON ORAL EXAMINATION

OF

PUGET SOUND ENERGY, INC.

BY

WILLIAM FRANCIS DONAHUE

December 30, 2020

1:59 p.m. (PST)

Remotely Reported Stenographically By:
 Mayleen Ahmed, RMR, CRR, CRC
 Washington CCR No. 3402
 Job No.: 772703

1 REMOTE APPEARANCES VIA LEXITAS LEGALVIEW

2 On behalf of the Appellant
3 The Puyallup Tribe of Indians:

4 BRIAN S. EPLEY, ESQ.
5 GEOFF BRIDGMAN, ESQ.
6 NICHOLAS G. THOMAS, ESQ.
7 OGDEN MURPHY WALLACE, P.L.L.C.
8 901 5th Avenue - Suite 3500
9 Seattle, Washington 98164
10 206.447.7000
11 bepley@omwlaw.com
12 gbridgman@omwlaw.com
13 nthomas@omwlaw.com

14 -and

15 LISA A. ANDERSON, ESQ.
16 LAW OFFICE, PUYALLUP INDIAN TRIBE
17 3009 East Portland Avenue
18 Tacoma, Washington 98404
19 lisa.anderson@PuyallupTribe-nsn.gov

20 On behalf of the Respondent
21 Puget Sound Clean Air Agency:

22 JENNIFER DOLD, ESQ.
23 PUGET SOUND CLEAN AIR AGENCY
24 1904 Third Avenue - Suite 105
25 Seattle, Washington, 98101
206.689.4015
jenniferd@psc Clean Air.gov

26 On behalf of the Respondent
27 Puget Sound Energy, Inc.:

28 JOSHUA B. FRANK, ESQ.
29 STERLING MARCHAND, ESQ.
30 BAKER BOTTS L.L.P.
31 700 K Street NW
32 Washington, D.C. 20001
33 202.639.7748
34 joshua.frank@bakerbotts.com
35 marchand.sterling@bakerbotts.com

1 REMOTE APPEARANCES VIA LEXITAS LEGALVIEW (cont'd)

2 On behalf of the Respondent
3 Puget Sound Energy, Inc.:

4 TADAS A. KISIELIUS, ESQ.
5 SARA A. LEVERETTE, ESQ.
6 VAN NESS FELDMAN LLP
7 719 Second Avenue - Suite 1150
8 Seattle , Washington 98104
9 206.623.9372
10 tak@vnf.com
11 sleverette@vnf.com

12 ALSO PRESENT:

13 SCOTT PERLOFF, Video/Document Technician, Lexitas

14 ---o0o---

15
16
17
18
19
20
21
22
23
24
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

BEFORE THE POLLUTION CONTROL HEARINGS BOARD

STATE OF WASHINGTON

ADVOCATES FOR A CLEANER TACOMA;)	
SIERRA CLUB; WASHINGTON)	
ENVIRONMENTAL COUNCIL; WASHINGTON)	
PHYSICIANS FOR SOCIAL)	
RESPONSIBILITY; STAND.EARTH, and	)	PCHB No. 19-087c
THE PUYALLUP TRIBE OF INDIANS, a)	
federally recognized Indian Tribe,)	
)	
Appellants,)	
)	
vs.)	
)	
PUGET SOUND CLEAN AIR AGENCY;)	
PUGET SOUND ENERGY, INC.,)	
)	
Respondents.)	

VIDEOCONFERENCE DEPOSITION OF PETER ERICKSON

November 18, 2020

Olympia, Washington

Pages 1 through 174

Reported by:

Andrea Clevenger, CCR No. 3041

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

APPEARANCES

For the Appellants:

Jan Hasselman
Jaimini Parekh
Earth Justice
810 Third Avenue
Suite 610
Seattle, Washington 98104
206.343.7340
jhasselman@earthjustice.org

For Appellant The Puyallup Tribe of Indians:

Geoff J.M. Bridgman
Ogden Murphy Wallace, PLLC
901 5th Avenue
Suite 3500
Seattle, Washington 98164
206.447.7000
gbridgman@omwlaw.com

For Respondents Puget Sound Energy:

Tadas A. Kisielius
Sara Leverette
VanNess Feldman LLP
719 Second Avenue
Suite 1150
Seattle, Washington 98104
206.802.3840
tak@vnf.com

For Respondent Puget Sound Clean Air Agency:

Jennifer A. Dold
Puget Sound Clean Air Agency
1904 3rd Avenue
Suite 105
Seattle, Washington 98101
206.689.4015
206.343.7522 Fax
jenniferd@psc Clean Air Agency

Also present: Lorna Luebbe

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

EXAMINATION INDEX

EXAMINATION BY:	PAGE NO.
Mr. Kisielius	5

EXHIBIT INDEX

EXHIBIT NO.	DESCRIPTION	PAGE NO.
Exhibit No. 1	22-page declaration of Peter Erickson.	36
Exhibit No. 2	6-page subpoena duces tecum and notice of deposition - Peter Erickson.	127

In the Matter Of:

ADVOCATES FOR A CLEANER TACOMA vs

PHCB PUGET SOUND CLEAN AIR AGENCY

KEITH FARETRA

December 10, 2020



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

POLLUTION CONTROL HEARING BOARD

STATE OF WASHINGTON

- - -

ADVOCATES FOR A CLEANER: PHCB NO. P19-087C
TACOMA, SIERRA CLUB, :
WASHINGTON :
ENVIRONMENTAL COUNCIL, :
WASHINGTON PHYSICIANS :
FOR SOCIAL :
RESPONSIBILITY, :
STAND.EARTH, AND THE :
PUYALLUP TRIBE OF :
INDIANS, :

Appellants, :

vs. :

PUGET SOUND CLEAN AIR :
AGENCY; PUGET SOUND :
ENERGY, INC., :

Respondents. :

- - -

December 10, 2020

- - -

Remote video deposition via Zoom of
KEITH FARETRA, commencing at 9:00 a.m., on the
above date, before Jennifer Billstein-Miller,
RMR, CRR, CCR-NJ, #30XI00235100 and Notary
Public.

Job No. 767027

1 A P P E A R A N C E S:

2

3 COUNSEL FOR THE APPELLANTS:

4 OGDEN, MURPHY & WALLACE
5 BY: NICHOLAS THOMAS, ESQUIRE
6 GEOFF BRIDGMAN, ESQUIRE
7 901 5th Avenue, Suite 3500
8 Seattle, WA 98164
9 (206) 447-7000
10 nthomas@omwlaw.com
11 gbridgman@omwlaw.com

8

9

10 COUNSEL FOR PUGET SOUND ENERGY, INC.:

11 BAKER BOTTS
12 BY: JOSHUA B. FRANK, ESQUIRE
13 ALLISON WATKINS MALLICK, ESQUIRE
14 700 K Street NW
15 Washington, DC 20001
16 (202) 639-7748
17 joshua.frank@backerbotts.com
18 allison.mallick@bakerbotts.com

15

16 COUNSEL FOR PUGET SOUND CLEAR AIR AGENCY:

17 BY: JENNIFER DOLD, ESQUIRE
18 Puget Sound Clean Air Agency
19 1904 - 3rd Avenue, Suite 105
20 Seattle, WA 98101
21 206-689-4015
22 jenniferd@psc Clean Air.gov

20

21

22 ALSO PRESENT: Rick Christian, Videographer,
23 Lisa A. Anderson, Esquire - in-house counsel
24 for Puyallup Tribe of Indians

24

25

In the Matter Of:

ACT vs

Puget Sound Clean Air Agency

KEITH FARETRA

January 27, 2021



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

POLLUTION CONTROL HEARINGS BOARD

STATE OF WASHINGTON

ADVOCATES FOR A CLEANER TACOMA,
SIERRA CLUB, WASHINGTON
ENVIRONMENTAL COUNCIL,
WASHINGTON PHYSICIANS FOR SOCIAL
RESPONSIBILITY, STAND, EARTH,
AND THE PUYALLUP TRIBE OF INDIANS,

Appellants,

vs.

PHCB No. P19-087C

PUGET SOUND CLEAN AIR AGENCY;
PUGET SOUND ENERGY, INC.,

Respondents.

-----/

REMOTELY CONDUCTED

VIDEOTAPED DEPOSITION OF KEITH FARETRA

Wednesday, January 27, 2021

Stenographically reported by:
LORRIE L. MARCHANT, RMR, CRR, CCRR, CRC
California CSR No. 10523
Washington CSR No. 3318
Oregon CSR No. 19-0458
Texas CSR No. 11318

Job No.: 767011

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

A P P E A R A N C E S

(All appearances remotely via Zoom)

Counsel for Appellant The Puyallup Tribe of Indians:

OGDEN MURPHY WALLACE, P.L.L.C.
BY: NICHOLAS G. THOMAS, ESQ.
GEOFF J.M. BRIDGMAN, ESQ.
901 5th Avenue, Suite 3500
Seattle, WA 98164
(206) 447-7000
nthomas@omwlaw.com
gbridgman@omwlaw.com

Co-Counsel for Puget Sound Energy, Inc.:

BAKER BOTTS
BY: ALLISON WATKINS MALLICK, ESQ.
JENNIFER GOLINSKY, ESQ.
700 K Street NW
Washington, DC 20001
(202) 639-7748
allison.mallick@bakerbotts.com
jennifer.golinsky@bakerbotts.com

Counsel for Puget Sound Clean Air Agency:

PUGET SOUND CLEAN AIR AGENCY
BY: JENNIFER DOLD, ESQ.
1904 3rd Avenue, Suite 105
Seattle, WA 98101
jenniferd@psc Clean Air.gov

Co-Counsel for Puget Sound Energy, Inc.:

STOEL RIVES, LLP
BY: THOMAS R. WOOD, ESQ.
760 SW Ninth Avenue, Suite 3000
Portland, OR 97205
(503) 294-9396

Also present:

Lisa Anderson, Puyallup Tribe Counsel
Rick Christian, Lexitas legal video
specialist & doc tech

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

POLLUTION CONTROL HEARINGS BOARD

STATE OF WASHINGTON

ADVOCATES FOR A CLEANER)
TACOMA, SIERRA CLUB,)
WASHINGTON ENVIRONMENTAL) PHCB NO. P19-087C4
COUNCIL, WASHINGTON)
PHYSICIANS FOR SOCIAL)
RESPONSIBILITY, STAND.EARTH,)
AND THE PUYALLUP TRIBE OF)
INDIANS,)
Appellants,)
v.)
PUGET SOUND CLEAN AIR AGENCY;)
PUGET SOUND ENERGY, INC.,)
Respondents.)

DEPOSITION UPON ORAL EXAMINATION

VIA ZOOM VIDEO CONFERENCING

OF

FILIPPO GAVELLI, Ph.D., P.E.

***** PLEASE NOTE THAT THIS TRANSCRIPT
CONTAINS CONFIDENTIAL INFORMATION THAT IS
COVERED BY A PROTECTIVE ORDER -
ATTORNEYS' EYES ONLY *****

DATE: Friday, January 22, 2021, 9:00 A.M.
REPORTED BY: Annamarie C. Spangrud, CCR

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

A P P E A R A N C E S

ATTORNEYS FOR THE APPELLANTS ADVOCATES FOR A CLEANER TACOMA, SIERRA CLUB - WASHINGTON CHAPTER; WASHINGTON ENVIRONMENTAL COUNCIL; WASHINGTON PHYSICIANS FOR SOCIAL RESPONSIBILITY; AND STAND.EARTH:

JAIMINI PAREKH, ESQUIRE
JAN HASSELMAN, ESQUIRE
EARTH JUSTICE
810 Third Avenue, Suite 610
Seattle, WA 98104
jparekh@earthjustice.org
jhasselman@earthjustice.org

ATTORNEYS FOR THE APPELLANTS PUYALLUP TRIBE OF INDIANS:

GEOFF J.M. BRIDGMAN, ESQUIRE
MALLORY BARNES-OHLSON, ESQUIRE
OGDEN MURPHY WALLACE
901 Fifth Avenue, Suite 3500
Seattle, WA 98164
gbridgman@omwlaw.com
mbarnesohlson@omwlaw.com

LISA A. ANDERSON, ESQUIRE
LAW OFFICE, PUYALLUP INDIAN TRIBE
3009 East Portland Avenue
Tacoma, WA 98404
lisa.anderson@puyalluptribe-nsn.gov

ATTORNEYS FOR THE RESPONDENTS PUGET SOUND ENERGY, INC.:

TADAS A. KISIELIUS, ESQUIRE
ERIN L. ANDERSON, ESQUIRE
VAN NESS FELDMAN
1191 Second Avenue, Suite 1800
Seattle, WA 98101
tak@vnf.com
ela@vnf.com

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

A P P E A R A N C E S

[Continued]

FOR THE RESPONDENTS PUGET SOUND CLEAN AIR AGENCY:

JENNIFER DOLD, ESQUIRE
GENERAL COUNSEL
1904 Third Avenue, Suite 105
Seattle, WA 98101
jenniferd@psc Clean Air .gov

In the Matter Of:

ADVOCATES FOR A CLEANER TACOMA vs

PUGET SOUND CLEAN AIR AGENCY

JAMES HOGAN

January 07, 2021



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

POLLUTION CONTROL HEARINGS BOARD

STATE OF WASHINGTON

ADVOCATES FOR A CLEANER)	
TACOMA, SIERRA CLUB,	)	PHCB No.
WASHINGTON ENVIRONMENTAL)	
COUNCIL, WASHINGTON	)	P19-087C
PHYSICIANS FOR SOCIAL)	
RESPONSIBILITY, STAND.EARTH,)	
and THE PUYALLUP TRIBE OF)	
INDIANS,)	
)	
Appellants,)	
vs.)	
)	
PUGET SOUND CLEAN AIR AGENCY;)	
PUGET SOUND ENERGY, INC.)	
)	
Respondents.)	

REMOTE VIDEOTAPED DEPOSITION

UPON ORAL EXAMINATION

OF

JAMES HOGAN

January 7, 2021

2:21 p.m. (PST)

Remotely Reported Stenographically By:
Mayleen Ahmed, RMR, CRR, CRC
Washington CCR No. 3402
Job No.: 772705

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

REMOTE APPEARANCES VIA LEXITAS LEGALVIEW

On behalf of the Appellant
The Puyallup Tribe of Indians:

NICHOLAS G. THOMAS, ESQ.
GEOFF BRIDGMAN, ESQ.
OGDEN MURPHY WALLACE, P.L.L.C.
901 5th Avenue - Suite 3500
Seattle, Washington 98164
206.447.7000
nthomas@omwlaw.com
gbridgman@omwlaw.com

-and

LISA A. ANDERSON, ESQ.
LAW OFFICE, PUYALLUP INDIAN TRIBE
3009 East Portland Avenue
Tacoma, Washington 98404
lisa.anderson@PuyallupTribe-nsn.gov

On behalf of the Respondent
Puget Sound Clean Air Agency:

JENNIFER DOLD, ESQ.
PUGET SOUND CLEAN AIR AGENCY
1904 Third Avenue - Suite 105
Seattle, Washington, 98101
206.689.4015
jenniferd@pscleanair.gov

On behalf of the Respondent
Puget Sound Energy, Inc.:

JOSHUA B. FRANK, ESQ.
ALLISON WATKINS-MALLICK, ESQ.
BAKER BOTTS L.L.P.
700 K Street NW
Washington, D.C. 20001
202.639.7748
joshua.frank@bakerbotts.com
allison.mallick@bakerbotts.com

1 REMOTE APPEARANCES VIA LEXITAS LEGALVIEW (cont'd)

2 On behalf of the Respondent
3 Puget Sound Energy, Inc.:

4 TADAS A. KISIELIUS, ESQ.
5 VAN NESS FELDMAN LLP
6 719 Second Avenue - Suite 1150
7 Seattle , Washington 98104
8 206.623.9372
9 tak@vnf.com
10 sleverette@vnf.com

11 ALSO PRESENT:

12 LORNA LUEBBE, Assistant General Counsel, Director
13 Environmental and Program Services, PSE

14 SCOTT PERLOFF, Video/Document Technician, Lexitas

15 ---o0o---

16
17
18
19
20
21
22
23
24
25

In the Matter Of:

ACT v

PSCAA

LOUIS KALANI

January 20, 2021



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

POLLUTION CONTROL HEARINGS BOARD

STATE OF WASHINGTON

ADVOCATES FOR A CLEANER)	
TACOMA, SIERRA CLUB,	)	PHCB No.
WASHINGTON ENVIRONMENTAL)	
COUNCIL, WASHINGTON	)	P19-087C
PHYSICIANS FOR SOCIAL)	
RESPONSIBILITY, STAND.EARTH,)	
and THE PUYALLUP TRIBE OF)	
INDIANS,)	
	)	Appellants,
vs.)	
)	
PUGET SOUND CLEAN AIR AGENCY;)	
PUGET SOUND ENERGY, INC.)	
)	
	)	Respondents.

REMOTE VIDEOTAPED 30(b)(6) DEPOSITION

UPON ORAL EXAMINATION

OF

LOUIS KALANI

January 20, 2021

9:02 a.m. (EST)

Remotely Reported Stenographically By:
 Mayleen Ahmed, RMR, CRR, CRC, WA-CCR 3402
 Job No.: 774307

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

REMOTE APPEARANCES VIA LEXITAS LEGALVIEW

On behalf of the Appellant
The Puyallup Tribe of Indians:

GEOFF BRIDGMAN, ESQ.
NICHOLAS G. THOMAS, ESQ.
OGDEN MURPHY WALLACE, P.L.L.C.
901 5th Avenue - Suite 3500
Seattle, Washington 98164
206.447.7000
gbridgman@omwlaw.com
nthomas@omwlaw.com

-and

LISA A. ANDERSON, ESQ.
LAW OFFICE, PUYALLUP INDIAN TRIBE
3009 East Portland Avenue
Tacoma, Washington 98404
lisa.anderson@PuyallupTribe-nsn.gov

On behalf of the Respondent
Puget Sound Clean Air Agency:

JENNIFER DOLD, ESQ.
PUGET SOUND CLEAN AIR AGENCY
1904 Third Avenue - Suite 105
Seattle, Washington, 98101
206.689.4015
jenniferd@psc Clean Air.gov

On behalf of the Respondent
Puget Sound Energy, Inc.:

JOSHUA B. FRANK, ESQ.
ALLISON WATKINS-MALLICK, ESQ.
TIFFANY CHEUNG, ESQ.
BAKER BOTTS L.L.P.
700 K Street NW
Washington, D.C. 20001
202.639.7748
joshua.frank@bakerbotts.com
allison.mallick@bakerbotts.com
tiffany.cheung@bakerbotts.com

1 REMOTE APPEARANCES VIA LEXITAS LEGALVIEW (cont'd)

2 On behalf of the Respondent
3 Puget Sound Energy, Inc.:

4 THOMAS R. WOOD, ESQ.
5 STOEL RIVES LLP
6 760 SW Ninth Avenue - Suite 3000
7 Seattle, Oregon 97205
8 503.294.9396
9 tom.wood@stoel.com

10 On behalf of LFG Specialties

11 DAVID KURTZ, ESQ.
12 BAKER DONELSON
13 201 St. Charles Avenue - Suite 3600
14 New Orleans, Louisiana 70170
15 504.566.5259
16 dkurtz@bakerdonelson.com

17 ALSO PRESENT:

18 SCOTT PERLOFF, Video/Document Technician, Lexitas

19 DANIEL DeARMENT, LFG Specialties

20 TODD KINDLER, Legal, APTIM

21 ---o0o---

22
23
24
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

POLLUTION CONTROL HEARINGS BOARD

STATE OF WASHINGTON

ADVOCATES FOR A CLEANER)
 TACOMA, SIERRA CLUB,)
 WASHINGTON ENVIRONMENTAL) PHCB NO. P19-087C4
 COUNCIL, WASHINGTON)
 PHYSICIANS FOR SOCIAL)
 RESPONSIBILITY, STAND.EARTH,)
 AND THE PUYALLUP TRIBE OF)
 INDIANS,)
)
 Appellants,)
)
 v.)
)
 PUGET SOUND CLEAN AIR AGENCY;))
 PUGET SOUND ENERGY, INC.,)
)
 Respondents.)

DEPOSITION UPON ORAL EXAMINATION

VIA ZOOM VIDEO CONFERENCING

OF

DAVID F. LAYTON, Ph.D.

DATE: Tuesday, January 12, 2021, 9:00 A.M.

REPORTED BY: Annamarie C. Spangrud, CCR

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

A P P E A R A N C E S

ATTORNEYS FOR THE APPELLANTS PUYALLUP TRIBE OF INDIANS:

GEOFF J.M. BRIDGMAN, ESQUIRE
BRIAN S. EPLEY, ESQUIRE
OGDEN MURPHY WALLACE
901 Fifth Avenue, Suite 3500
Seattle, WA 98164
gbridgman@omwlaw.com
bepley@omwlaw.com

LISA A. ANDERSON, ESQUIRE
LAW OFFICE, PUYALLUP INDIAN TRIBE
3009 East Portland Avenue
Tacoma, WA 98404
lisa.anderson@puyalluptribe-nsn.gov

ATTORNEYS FOR THE RESPONDENTS PUGET SOUND ENERGY, INC.:

TADAS A. KISIELIUS, ESQUIRE
VAN NESS FELDMAN
1191 Second Avenue, Suite 1800
Seattle, WA 98101
tak@vnf.com

FOR THE RESPONDENTS PUGET SOUND CLEAN AIR AGENCY:

JENNIFER ELIAS, ESQUIRE
JENNIFER DOLD, ESQUIRE
GENERAL COUNSEL
1904 Third Avenue, Suite 105
Seattle, WA 98101
jennifere@psc Clean Air.gov
jenniferd@psc Clean Air.gov

ALSO PRESENT: DR. ARMANDO LEVY

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

I N D E X

EXAMINATION BY:	PAGE
Mr. Kisielius	6

EXHIBIT	DESCRIPTION	MARKED
EX. 1	Declaration of David F. Layton, Ph.D., in Support of the Puyallup Tribe of Indians' Opposition to Puget Sound Energy's Second Dispositive Motion (14 pages)	31
EX. 2	Subpoena Duces Tecum and Notice of Deposition to Dr. David F. Layton (8 pages)	44
EX. 3	IMF Working Paper entitled, "A Simultaneous Equations Model for World Crude Oil and Natural Gas Markets," by Nouredine Krichene (25 pages)	65
EX. 4	Declaration of David F. Layton, Ph.D., dated January 7, 2020 (20 pages)	88

1	EXHIBIT	DESCRIPTION	MARKED
2	EX. 5	"U.S. LNG Exports: Truth	
3		and Consequence" by	
4		Kenneth B. Medlock III,	
		Ph.D., dated August 10,	
5		2012 (34 pages)	97
6	EX. 6	"Incidence of federal and	
7		state gasoline taxes,"	
8		by Hayley Chouinard and	
9		Jeffrey M. Perloff	
10		(6 pages)	101
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			

In the Matter Of:

ACT vs

PSCAA

ARMANDO LEVY, PH.D.

January 04, 2021



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

POLLUTION CONTROL HEARINGS BOARD

STATE OF WASHINGTON

ADVOCATES FOR A CLEANER)	
TACOMA, SIERRA CLUB,	)	PHCB No.
WASHINGTON ENVIRONMENTAL)	
COUNCIL, WASHINGTON	)	P19-087C
PHYSICIANS FOR SOCIAL)	
RESPONSIBILITY, STAND.EARTH,)	
and THE PUYALLUP TRIBE OF)	
INDIANS,)	
)	
Appellants,)	
vs.)	
)	
PUGET SOUND CLEAN AIR AGENCY;)	
PUGET SOUND ENERGY, INC.)	
)	
Respondents.)	

REMOTE VIDEOTAPED DEPOSITION UPON ORAL EXAMINATION

OF

ARMANDO PAUL LEVY, Ph.D.

January 4, 2021

10:00 a.m. (PST)

Remotely Reported Stenographically By:
 Mayleen Ahmed, RMR, CRR, CRC
 Washington CCR No. 3402
 Job No.: 772691

1 REMOTE APPEARANCES VIA LEXITAS LEGALVIEW

2

On behalf of the Appellant
3 The Puyallup Tribe of Indians:

4

GEOFF BRIDGMAN, ESQ.
OGDEN MURPHY WALLACE, P.L.L.C.
5 901 5th Avenue - Suite 3500
Seattle, Washington 98164
6 206.447.7000
gbridgman@omwlaw.com

7

-and

8

LISA A. ANDERSON, ESQ.
LAW OFFICE, PUYALLUP INDIAN TRIBE
3009 East Portland Avenue
9 Tacoma, Washington 98404
lisa.anderson@PuyallupTribe-nsn.gov

10

11 On behalf of the Respondent
Puget Sound Clean Air Agency:

12

JENNIFER DOLD, ESQ.
PUGET SOUND CLEAN AIR AGENCY
13 1904 Third Avenue - Suite 105
14 Seattle, Washington, 98101
206.689.4015
15 jenniferd@psc Clean Air.gov

16

17 On behalf of the Respondent
Puget Sound Energy, Inc.:

18

TADAS A. KISIELIUS, ESQ.
SARA A. LEVERETTE, ESQ.
19 VAN NESS FELDMAN LLP
719 Second Avenue - Suite 1150
20 Seattle, Washington 98104
206.623.9372
21 tak@vnf.com
sleverette@vnf.com

22

23 ALSO PRESENT:

24

DAVID LAYTON, Ph.D.

25

SCOTT PERLOFF, Video/Document Technician, Lexitas

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

I N D E X

WITNESS: ARMANDO PAUL LEVY, Ph.D.

EXAMINATION	PAGE
BY MR. BRIDGMAN	5

---o0o---

MOTIONS TO STRIKE:	None
INSTRUCTIONS NOT TO ANSWER:	None
DOCUMENT/INFORMATION REQUESTS:	None

----- EXHIBITS -----

LEVY EXHIBIT	DESCRIPTION	PAGE
Exhibit 1	1/24/20 Declaration of Armando Levy, Ph.D.	24
Exhibit 2	Life Cycle Associates Figure 1-2, pgs 3-4	42
Exhibit 3	8/11/15 Prefiled Direct Testimony of Harold "Skip" York, Ph.D.	56
Exhibit 4	11/30/20 Declaration of Armando Levy, Ph.D.	76

---o0o---

In the Matter Of:

ACT vs

Puget Sound Clean Air Agency

SHARI LIBICKI, PH.D.

January 14, 2021



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

POLLUTION CONTROL HEARINGS BOARD

STATE OF WASHINGTON

ADVOCATES FOR A CLEANER)	
TACOMA, SIERRA CLUB,	)	PHCB No.
WASHINGTON ENVIRONMENTAL)	
COUNCIL, WASHINGTON	)	P19-087C
PHYSICIANS FOR SOCIAL)	
RESPONSIBILITY, STAND.EARTH,)	
and THE PUYALLUP TRIBE OF)	
INDIANS,)	
)	
Appellants,)	
vs.)	
)	
PUGET SOUND CLEAN AIR AGENCY;)	
PUGET SOUND ENERGY, INC.)	
)	
Respondents.)	

REMOTE VIDEOTAPED DEPOSITION UPON ORAL EXAMINATION

OF

SHARI LIBICKI, Ph.D.

January 14, 2021

9:03 a.m. (PST)

Remotely Reported Stenographically By:
Mayleen Ahmed, RMR, CRR, CRC, WA-CCR 3402
Job No.: 772692

1 REMOTE APPEARANCES VIA LEXITAS LEGALVIEW

2
3 On behalf of the Appellant
4 The Puyallup Tribe of Indians:

5 NICHOLAS G. THOMAS, ESQ.
6 GEOFF BRIDGMAN, ESQ.
7 OGDEN MURPHY WALLACE, P.L.L.C.
8 901 5th Avenue - Suite 3500
9 Seattle, Washington 98164
10 206.447.7000
11 nthomas@omwlaw.com
12 gbridgman@omwlaw.com

13 -and

14 LISA A. ANDERSON, ESQ.
15 LAW OFFICE, PUYALLUP INDIAN TRIBE
16 3009 East Portland Avenue
17 Tacoma, Washington 98404
18 lisa.anderson@PuyallupTribe-nsn.gov

19 On behalf of the Respondent
20 Puget Sound Clean Air Agency:

21 JENNIFER DOLD, ESQ.
22 PUGET SOUND CLEAN AIR AGENCY
23 1904 Third Avenue - Suite 105
24 Seattle, Washington, 98101
25 206.689.4015
jenniferd@pscleanair.gov

On behalf of the Respondent
Puget Sound Energy, Inc.:

ALLISON WATKINS-MALLICK, ESQ.
JOSHUA B. FRANK, ESQ.
JENNIFER GOLINKSY, ESQ.
BAKER BOTTS L.L.P.
700 K Street NW
Washington, D.C. 20001
202.639.7748
allison.mallick@bakerbotts.com
joshua.frank@bakerbotts.com
jennifer.golinsky@bakerbotts.com

1 REMOTE APPEARANCES VIA LEXITAS LEGALVIEW (cont'd)

2 On behalf of the Respondent
3 Puget Sound Energy, Inc.:

4 THOMAS R. WOOD, ESQ.
5 STOEL RIVES LLP
6 760 SW Ninth Avenue - Suite 3000
7 Seattle, Oregon 97205
8 503.294.9396
9 tom.wood@stoel.com

10 SCOTT PERLOFF, Video/Document Technician, Lexitas

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
---o0o---

In the Matter Of:

ACT vs

Puget Sound Clean Air Agency

BLAKE LITTAUER

December 16, 2020



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

POLLUTION CONTROL HEARINGS BOARD
STATE OF WASHINGTON

ADVOCATES FOR A CLEANER TACOMA,
SIERRA CLUB, WASHINGTON ENVIRONMENTAL COUNCIL,
WASHINGTON PHYSICIANS FOR SOCIAL RESPONSIBILITY,
STAND.EARTH, AND THE PUYALLUP TRIBE OF INDIANS,

Appellants,

PHCB NO. P19-087C

-vs-

PUGET SOUND CLEAN AIR AGENCY,
PUGET SOUND ENERGY, INC.,

Respondents.

RULE 30(b)(6)

REMOTE VIDEOTAPED DEPOSITION

OF

BLAKE LITTAUER

December 16, 2020

Job No. 2020-767013
Reported by: Amy L. Larson, RPR

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

RULE 30(b)(6) REMOTE VIDEOTAPED DEPOSITION OF
BLAKE LITTAUER, taken on this 16th day of
December, 2020, commencing at approximately
1:40 p.m., reported stenographically by
Amy L. Larson, a Registered Professional Reporter
and Notary Public.

1 APPEARANCES:

2 Counsel for Appellants Advocates
3 For A Cleaner Tacoma; Sierra Club;
4 WA Environmental Council; WA Physicians For
5 Social Responsibility; And Stand.Earth:

6 Jan Hasselman, Esquire
7 jhasselman@earthjustice.org
8 Jaimini Parekh, Esquire
9 jparekh@earthjustice.org
10 Earthjustice
11 810 Third Avenue, Suite 610
12 Seattle, WA 98104

13 Co-Counsel for Puget Sound Energy, Inc.:

14 Joshua B. Frank, Esquire
15 joshua.frank@bakerbotts.com
16 Sterling Marchand, Esquire
17 sterling.marchand@bakerbotts.com
18 Baker Botts
19 700 K Street NW
20 Washington, D.C. 20001

21 Counsel for Respondent
22 Puget Sound Energy, Inc.:

23 Tadas A. Kisielius, Esquire
24 tak@vnf.com
25 Sara Leverette, Esquire
sleverette@vnf.com
Van Ness Feldman, LLP
719 Second Avenue, Suite 1150
Seattle, WA 98104

Counsel for Appellant The Puyallup Tribe of
Indians:

Geoff J.M. Bridgman, Esquire
gbridgman@omwlaw.com
Nicholas Thomas, Esq.
nthomas@omwlaw.com
Ogden Murphy Wallace, PLLC
901 5th Avenue, Suite 3500
Seattle, WA 98164

1 APPEARANCES: (Cont'd.)

2 Counsel for Puget Sound Clean Air Agency:

3 Jennifer Dold, Esquire
jenniferd@psccleanair.gov
4 Jennifer Elias, Esquire
jenniferE@psccleanair.gov
5 Puget Sound Clean Air Agency
1904 3rd Avenue, Suite 105
6 Seattle, WA 98101

7 Co-Counsel for the Puyallup Tribe of Indians:

8 Lisa A. Anderson, Esquire
lisa.anderson@puyalluptribe-nsn.gov
9 Law Office, Puyallup Indian Tribe
3009 East Portland Avenue
10 Tacoma, WA 98404

11

12

13 ALSO PRESENT: Lorna Luebbe, Esquire
Ed Caswell, IV, Videographer

14

15

16

17

18

19

20

21

22

23

24

25

In the Matter Of:

ACT v

PSCAA

BLAKE LITTAUER

December 30, 2020



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

POLLUTION CONTROL HEARINGS BOARD

STATE OF WASHINGTON

ADVOCATES FOR A CLEANER)	
TACOMA, SIERRA CLUB,	)	PHCB No.
WASHINGTON ENVIRONMENTAL)	
COUNCIL, WASHINGTON	)	P19-087C
PHYSICIANS FOR SOCIAL)	
RESPONSIBILITY, STAND.EARTH,)	
and THE PUYALLUP TRIBE OF)	
INDIANS,)	
)	
Appellants,)	
vs.)	
)	
PUGET SOUND CLEAN AIR AGENCY;)	
PUGET SOUND ENERGY, INC.)	
)	
Respondents.)	

REMOTE VIDEOTAPED 30(b)(6) DEPOSITION

UPON ORAL EXAMINATION

OF

PUGET SOUND ENERGY, INC.

BY

BLAKE LITTAUER

December 30, 2020

1:01 p.m. (PST)

Remotely Reported Stenographically By:
 Mayleen Ahmed, RMR, CRR, CRC
 Washington CCR No. 3402
 Job No.: 772703

1 REMOTE APPEARANCES VIA LEXITAS LEGALVIEW

2 On behalf of the Appellant
3 The Puyallup Tribe of Indians:

4 BRIAN S. EPLEY, ESQ.
5 GEOFF BRIDGMAN, ESQ.
6 NICHOLAS G. THOMAS, ESQ.
7 OGDEN MURPHY WALLACE, P.L.L.C.
8 901 5th Avenue - Suite 3500
9 Seattle, Washington 98164
10 206.447.7000
11 bepley@omwlaw.com
12 gbridgman@omwlaw.com
13 nthomas@omwlaw.com

14 -and

15 LISA A. ANDERSON, ESQ.
16 LAW OFFICE, PUYALLUP INDIAN TRIBE
17 3009 East Portland Avenue
18 Tacoma, Washington 98404
19 lisa.anderson@PuyallupTribe-nsn.gov

20 On behalf of the Respondent
21 Puget Sound Clean Air Agency:

22 JENNIFER DOLD, ESQ.
23 PUGET SOUND CLEAN AIR AGENCY
24 1904 Third Avenue - Suite 105
25 Seattle, Washington, 98101
206.689.4015
jenniferd@psc Clean Air.gov

26 On behalf of the Respondent
27 Puget Sound Energy, Inc.:

28 JOSHUA B. FRANK, ESQ.
29 STERLING MARCHAND, ESQ.
30 BAKER BOTTS L.L.P.
31 700 K Street NW
32 Washington, D.C. 20001
33 202.639.7748
34 joshua.frank@bakerbotts.com
35 marchand.sterling@bakerbotts.com

1 REMOTE APPEARANCES VIA LEXITAS LEGALVIEW (cont'd)

2 On behalf of the Respondent
3 Puget Sound Energy, Inc.:

4 TADAS A. KISIELIUS, ESQ.
5 SARA A. LEVERETTE, ESQ.
6 VAN NESS FELDMAN LLP
7 719 Second Avenue - Suite 1150
8 Seattle , Washington 98104
9 206.623.9372
10 tak@vnf.com
11 sleverette@vnf.com

12 ALSO PRESENT:

13 SCOTT PERLOFF, Video/Document Technician, Lexitas

14 ---o0o---

15
16
17
18
19
20
21
22
23
24
25

In the Matter Of:

ADVOCATES FOR A CLEANER TACOMA vs

PHCB PUGET SOUND CLEAN AIR AGENCY

RALPH MUNOZ

December 18, 2020



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

POLLUTION CONTROL HEARINGS BOARD

STATE OF WASHINGTON

ADVOCATES FOR A CLEANER)
TACOMA, SIERRA CLUB,) PHCB No.
WASHINGTON ENVIRONMENTAL)
COUNCIL, WASHINGTON) P19-087C
PHYSICIANS FOR SOCIAL)
RESPONSIBILITY, STAND.EARTH,)
and THE PUYALLUP TRIBE OF)
INDIANS,)

Appellants,
vs.

PUGET SOUND CLEAN AIR AGENCY;
PUGET SOUND ENERGY, INC.

Respondents.

REMOTE VIDEOTAPED DEPOSITION UPON ORAL EXAMINATION

OF

RALPH MUNOZ

December 18, 2020

10:00 A.M. (PST)

Remotely Reported Stenographically By:
Mayleen Ahmed, RMR, CRR, CRC
Washington CCR No. 3402
Job No.: 765864

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

REMOTE APPEARANCES VIA LEXITAS LEGALVIEW

On behalf of the Appellant
The Puyallup Tribe of Indians:

GEOFF BRIDGMAN, ESQ.
NICHOLAS G. THOMAS, ESQ.
OGDEN MURPHY WALLACE, P.L.L.C.
901 5th Avenue - Suite 3500
Seattle, Washington 98164
206.447.7000
gbridgman@omwlaw.com
nthomas@omwlaw.com

-and

LISA A. ANDERSON, ESQ.
LAW OFFICE, PUYALLUP INDIAN TRIBE
3009 East Portland Avenue
Tacoma, Washington 98404
lisa.anderson@PuyallupTribe-nsn.gov

On behalf of the Respondent
Puget Sound Clean Air Agency:

JENNIFER DOLD, ESQ.
PUGET SOUND CLEAN AIR AGENCY
1904 Third Avenue - Suite 105
Seattle, Washington, 98101
206.689.4015
jenniferd@psccleanair.gov

On behalf of the Respondent
Puget Sound Energy, Inc.:

JOSHUA B. FRANK, ESQ.
BAKER BOTTS L.L.P.
700 K Street NW
Washington, D.C. 20001
202.639.7748
joshua.frank@bakerbotts.com

1 REMOTE APPEARANCES VIA LEXITAS LEGALVIEW (cont'd)

2 On behalf of the Respondent
3 Puget Sound Energy, Inc.:

4 THOMAS R. WOOD, ESQ.
5 STOEL RIVES LLP
6 760 SW Ninth Avenue - Suite 3000
7 Seattle, Oregon 97205
8 503.294.9396
9 tom.wood@stoel.com

10 ALSO PRESENT:

11 SCOT DANTZER, Video/Document Technician, Lexitas

12 ---o0o---

13
14
15
16
17
18
19
20
21
22
23
24
25

In the Matter Of:

ADVOCATES FOR A CLEANER TACOMA vs

PHCB PUGET SOUND CLEAN AIR AGENCY

ERI OTTERSBURG

January 05, 2021



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

POLLUTION CONTROL HEARINGS BOARD

STATE OF WASHINGTON

ADVOCATES FOR A CLEANER)	
TACOMA, SIERRA CLUB,	)	PHCB No.
WASHINGTON ENVIRONMENTAL)	
COUNCIL, WASHINGTON	)	P19-087C
PHYSICIANS FOR SOCIAL)	
RESPONSIBILITY, STAND.EARTH,)	
and THE PUYALLUP TRIBE OF)	
INDIANS,)	
	)	Appellants,
vs.)	
)	
PUGET SOUND CLEAN AIR AGENCY;)	
PUGET SOUND ENERGY, INC.)	
)	
	)	Respondents.

REMOTE VIDEOTAPED UPON ORAL EXAMINATION

OF

ERI OTTERSBERG

January 5, 2021

8:59 A.M. (PST)

Remotely Reported Stenographically By:
 Mayleen Ahmed, RMR, CRR, CRC
 Washington CCR No. 3402
 Job No.: 772704

1 REMOTE APPEARANCES VIA LEXITAS LEGALVIEW (cont'd)

2 On behalf of the Respondent
3 Puget Sound Energy, Inc.:

4 THOMAS R. WOOD, ESQ.
5 STOEL RIVES LLP
6 760 SW Ninth Avenue - Suite 3000
7 Seattle, Oregon 97205
8 503.294.9396
9 tom.wood@stoel.com

7

8 ALSO PRESENT:

9 SCOTT PERLOFF, Video/Document Technician, Lexitas

10

---o0o---

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

BEFORE THE POLLUTION CONTROL HEARINGS BOARD

STATE OF WASHINGTON

ADVOCATES FOR A CLEANER TACOMA;)	
SIERRA CLUB; WASHINGTON)	
ENVIRONMENTAL COUNCIL; WASHINGTON)	
PHYSICIANS FOR SOCIAL)	
RESPONSIBILITY; STAND.EARTH, and	)	PCHB No. 19-087c
THE PUYALLUP TRIBE OF INDIANS, a)	
federally recognized Indian Tribe,)	
)	
Appellants,)	
)	
vs.)	
)	
PUGET SOUND CLEAN AIR AGENCY;)	
PUGET SOUND ENERGY, INC.,)	
)	
Respondents.)	

VIDEOCONFERENCE DEPOSITION OF JOSEPH PRATT

November 23, 2020

Olympia, Washington

Pages 1 through 197

Reported by:
Andrea Clevenger, CCR No. 3041

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

APPEARANCES

For the Appellants:

Jan Hasselman
Jaimini Parekh
Earth Justice
810 Third Avenue
Suite 610
Seattle, Washington 98104
206.343.7340
jhasselman@earthjustice.org

For Appellant The Puyallup Tribe of Indians:

Geoff J.M. Bridgman
Ogden Murphy Wallace, PLLC
901 5th Avenue
Suite 3500
Seattle, Washington 98164
206.447.7000
gbridgman@omwlaw.com

For Respondents Puget Sound Energy:

Sara A. Leverette
Tadas A. Kisielius
VanNess Feldman LLP
719 Second Avenue
Suite 1150
Seattle, Washington 98104
206.802.3846
sleverette@vnf.com

For Respondent Puget Sound Clean Air Agency:

Jennifer A. Dold
Puget Sound Clean Air Agency
1904 3rd Avenue
Suite 105
Seattle, Washington 98101
206.689.4015
206.343.7522 Fax
jenniferd@psc Clean Air Agency

Also present: Jan Hagen Andersen

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

POLLUTION CONTROL HEARINGS BOARD
FOR THE STATE OF WASHINGTON

ADVOCATES FOR A CLEANER)
TACOMA; SIERRA CLUB;)
WASHINGTON ENVIRONMENTAL)
COUNCIL; WASHINGTON)
PHYSICIANS FOR SOCIAL) No. PCHB NO. P19-087c
RESPONSIBILITY; STAND.)
EARTH, and THE PUYALLUP)
TRIBE OF INDIANS,)
))
Appellants,)
))
vs.)
))
PUGET SOUND CLEAN AIR)
AGENCY; and PUGET SOUND)
ENERGY,)
))
Respondents.)

REMOTE DEPOSITION UPON ORAL EXAMINATION OF
JOSEPH PRATT
VOLUME II
Pages 198 - 294

Location of Witness:
Fremont, California

DATE TAKEN: January 27, 2021
REPORTED BY: Sharon L. Westling, CCR # 2301

1 APPEARANCES
2 APPEARING REMOTELY

3 FOR THE APPELLANTS JAN E. HASSELMAN, ESQ.
4 Advocates for a JAIMINI PAREKH, ESQ.
5 Cleaner Tacoma; Earthjustice
6 Sierra Club; 810 Third Avenue
7 Washington Suite 610
8 Environmental Seattle, WA 98104
9 Council; Washington 206.343.7340
10 Physicians for Jhasselman@Earthjustice.Org
11 Social Jparekh@earthjustice.org
12 Responsibility;
13 Stand.earth

9 FOR THE APPELLANTS GEOFF J.M. BRIDGMAN
10 PUYALLUP TRIBE OF Ogden Murphy Wallace, PLLC
11 INDIANS: 901 5th Avenue
12 Suite 3500
13 Seattle, WA 98164
14 206.447.7000
15 Gbridgman@omwlaw.com

14 LISA A. ANDERSON, ESQ.
15 Law Office, Puyallup Indian
16 Tribe
17 3009 East Portland Avenue
18 Tacoma, WA 98404
19 Lisa.anderson@puyalluptribe-
20 nsn.gov

18 FOR PUGET SOUND SARA LEVERETTE, ESQ.
19 ENERGY: Millennium Tower
20 1191 Second Avenue
21 Suite 1800
22 Seattle, WA 98101
23 206.829.1805
24 Sleverette@vnf.com

22 PUGET SOUND CLEAN JENNIFER DOLD
23 AIR AGENCY: Puget Sound Clean Energy
24 1904 3rd Avenue #105
25 Seattle, WA 98101
Jenniferd@psc Cleanair.gov

-o0o-

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

POLLUTION CONTROL HEARINGS BOARD
FOR THE STATE OF WASHINGTON

ADVOCATES FOR A CLEANER TACOMA;)
SIERRA CLUB; WASHINGTON)
ENVIRONMENTAL COUNCIL;)
WASHINGTON PHYSICIANS FOR SOCIAL)
RESPONSIBILITY; STAND.EARTH and)
THE PUYALLUP TRIBE OF INDIANS,)

PCHB NO. P19-087c

Appellants,)

vs.)

PUGET SOUND CLEAN AIR AGENCY and)
PUGET SOUND ENERGY,)

Respondents.)

VIDEOCONFERENCE DEPOSITION UPON ORAL EXAMINATION OF

STEVE VAN SLYKE
30(b)(6) Designee of Puget Sound Clean Air Agency

December 3, 2020

Pages 1 through 176

Reported By:
Connie Church, CCR, RPR, CRR, CRC
Certified Court Reporter #2555

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

APPEARANCES

FOR THE APPELLANTS:

MR. JAN HASSELMAN
and
MS. JAIMINI PAREKH
ATTORNEYS AT LAW
EARTH JUSTICE
810 Third Avenue, Suite 610
Seattle, WA 98104
PH: (206) 343-7340
jparekh@earthjustice.org
jhasselman@earthjustice.org

FOR APPELLANT
PUYALLUP TRIBE OF
INDIANS:

MR. GEOFF J.M. BRIDGMAN
and
MR. NICK THOMAS
ATTORNEYS AT LAW
OGDEN MURPHY WALLACE, PLLC
901 5th Avenue, Suite 3500
Seattle, WA 98164
PH: (206) 447-7000
gbridgman@omwlaw.com
nthomas@omwlaw.com

AND

MS. LISA A.H. ANDERSON
ATTORNEY LAW LAW
LAW OFFICE OF THE PUYALLUP INDIAN TRIBE
3009 East Portland Avenue
Tacoma, WA 98404
PH: (253) 573-7876
lisa.anderson@puyalluptribe-nsn.gov

FOR RESPONDENT PUGET
SOUND ENERGY:

MR. TADAS A. KISIELIUS
ATTORNEY AT LAW
VanNess Feldman, LLP
719 Second Avenue, Suite 1150
Seattle, WA 98104
PH: (206) 802-3846
tak@vnf.com

FOR RESPONDENT PUGET
SOUND CLEAN AIR
AGENCY:

MS. JENNIFER A. DOLD
ATTORNEY AT LAW
PUGET SOUND CLEAN AIR AGENCY
1904 3rd Avenue, Suite 105
Seattle, WA 98101
PH: (206) 689-4015
jenniferd@psc Clean Air.org

In the Matter Of:

ADVOCATES FOR A CLEANER TACOMA vs

PHCB PUGET SOUND CLEAN AIR AGENCY

STEVE VAN SLYKE

December 07, 2020



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

POLLUTION CONTROL HEARINGS BOARD

STATE OF WASHINGTON

---oOo---

ADVOCATES FOR A CLEANER
TACOMA, SIERRA CLUB,
WASHINGTON ENVIRONMENTAL
COUNCIL, WASHINGTON PHYSICIANS
FOR SOCIAL RESPONSIBILITY,
STAND.EARTH, AND THE PUYALLUP
TRIBE OF INDIANS,

Appellants,

vs.

PHCB No. P19-087C

PUGET SOUND CLEAN AIR AGENCY;
PUGET SOUNDY ENERGY, INC.,

Respondents.

_____ /

30(b)(6) REMOTE VIDEOTAPED DEPOSITION OF

STEVE VAN SLYKE

MONDAY, DECEMBER 7, 2020

Stenographically Reported by:

ANDREA M. IGNACIO, CSR, RPR, CRR, CCRR, CLR

California CSR No. 9830

Job No. 2020-765852

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

POLLUTION CONTROL HEARINGS BOARD

STATE OF WASHINGTON

---oOo---

ADVOCATES FOR A CLEANER
TACOMA, SIERRA CLUB,
WASHINGTON ENVIRONMENTAL
COUNCIL, WASHINGTON PHYSICIANS
FOR SOCIAL RESPONSIBILITY,
STAND.EARTH, AND THE PUYALLUP
TRIBE OF INDIANS,

Appellants,

vs.

PHCB No. P19-087C

PUGET SOUND CLEAN AIR AGENCY;
PUGET SOUNDY ENERGY, INC.,

Respondents.

_____ /

REMOTE VIDEOTAPED DEPOSITION OF STEVE VAN SLYKE,
taken on behalf of the Appellants, on Monday,
December 7, 2020, beginning at 9:05 a.m., and
ending at 5:35 p.m., Pursuant to Notice, and
remotely before me, ANDREA M. IGNACIO, CSR, RPR,
CRR, CLR ~ License No. 9830.

1 R E M O T E A P P E A R A N C E S :

2

3

4

FOR APPELLANTS:

5

LAW OFFICE PUYALLUP TRIBE OF INDIANS

6

By: NICHOLAS G. THOMAS, Esq.

7

3009 East Portland Avenue

8

Tacoma, Washington 98404

9

nicholas.thomas@puyallup.tribe-nsn.gov

10

11

OGDEN MURPHY WALLACE, PLLC

12

By: GEOFF BRIDGMAN, Esq.

13

LISA ANDERSON, Esq.

14

901 5th Avenue, Suite 3500

15

Seattle, Washington 98164

16

17

18

FOR PUGET SOUND CLEAN AIR AGENCY:

19

PUGET SOUND CLEAN AIR AGENCY

20

By: JENNIFER DOLD, Esq.

21

1904 3rd Avenue, Suite 105

22

Seattle, Washington 98101

23

jenniferd@psc Clean Air.gov

24

25

1 A P P E A R A N C E S (Cont.)

2

3

4 CO-COUNSEL FOR PUGET SOUND ENERGY, INC.

5 BAKER BOTTS

6 BY: JOSHUA B. FRANK, Esq.

7 ALLISON WATKINS MALLICK, Esq.

8 700 K Street NW

9 Washington, D.C. 2001

10 joshua.frank@bakerbotts.com

11 allison.mallick@bakerbotts.com

12

13

14 STOEL RIVES LLP

15 By: THOMAS R. WOOD, Esq.

16 760 SW Ninth Avenue, Suite 3000

17 Portland, Oregon 97205

18 tom.wood@stoel.com

19

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

R E M O T E A P P E A R A N C E S: (Cont.)

COUNSEL FOR APPELLANTS ADVOCATES FOR A CLEANER
TACOMA; SIERRA CLUB; WA ENVIRONMENTAL COUNCIL; WA
PHYSICIANS FOR SOCIAL RESPONSIBILITY; AND
STAND.EARTH

EARTHJUSTICE

By: JAMINI PAREKH, Esq.

810 Third Avenue, Suite 610

Seattle, Washington 98104

jparekh@earthjustice.org

ALSO REMOTELY PRESENT:

Rick Christian, Videographer

---oOo---

In the Matter Of:

ACT vs

Puget Sound Clean Air Agency

PAMELA BERNER

February 22, 2021



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

POLLUTION CONTROL HEARINGS BOARD

STATE OF WASHINGTON

ADVOCATES FOR A CLEANER)	
TACOMA, SIERRA CLUB,	)	PHCB No.
WASHINGTON ENVIRONMENTAL)	
COUNCIL, WASHINGTON	)	P19-087C
PHYSICIANS FOR SOCIAL)	
RESPONSIBILITY, STAND.EARTH,)	
and THE PUYALLUP TRIBE OF)	
INDIANS,)	
)	
Appellants,)	
vs.)	
)	
PUGET SOUND CLEAN AIR AGENCY;)	
PUGET SOUND ENERGY, INC.)	
)	
Respondents.)	

REMOTE VIDEOTAPED 30(b)(6) DEPOSITION

UPON ORAL EXAMINATION

OF

PUGENT SOUND ENERGY, INC.

BY

PAMELA BERNER

February 22, 2021

1:01 p.m. (EST)

Remotely Reported Stenographically By:
 Mayleen Ahmed, RMR, CRR, CRC
 Washington CCR No. 3402
 Job No.: 779914

1 REMOTE APPEARANCES VIA LEXITAS LEGALVIEW

2 On behalf of the Appellant
3 The Puyallup Tribe of Indians:

4 NICHOLAS G. THOMAS, ESQ.
5 GEOFF BRIDGMAN, ESQ.
6 OGDEN MURPHY WALLACE, P.L.L.C.
7 901 5th Avenue - Suite 3500
8 Seattle, Washington 98164
9 206.447.7000
10 nthomas@omwlaw.com
11 gbridgman@omwlaw.com

12 On behalf of the Respondent
13 Puget Sound Clean Air Agency:

14 JENNIFER DOLD, ESQ.
15 PUGET SOUND CLEAN AIR AGENCY
16 1904 Third Avenue - Suite 105
17 Seattle, Washington, 98101
18 206.689.4015
19 jenniferd@psccleanair.gov

20 On behalf of the Respondent
21 Puget Sound Energy, Inc.:

22 JOSHUA B. FRANK, ESQ.
23 ALLISON WATKINS MALLICK, ESQ.
24 BAKER BOTTS L.L.P.
25 700 K Street NW
Washington, D.C. 20001
202.639.7748
joshua.frank@bakerbotts.com
allison.mallick@bakerbotts.com

-and-

THOMAS R. WOOD, ESQ.
STOEL RIVES LLP
760 SW Ninth Avenue - Suite 3000
Seattle, Oregon 97205
503.294.9396
tom.wood@stoel.com

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

REMOTE APPEARANCES VIA LEXITAS LEGALVIEW (Cont'd)

ALSO PRESENT:

RANAJIT SAHU, Ph.D., QEP, CEM

STEPHEN COOMBES, NAES Corporation

SCOTT PERLOFF, Video/Document Technician, Lexitas

---o0o---

In the Matter Of:

ACT vs

PSCAA

JAMES HOGAN

August 07, 2020



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

POLLUTION CONTROL HEARINGS BOARD
STATE OF WASHINGTON

ADVOCATES FOR A CLEANER)
TACOMA, SIERRA CLUB,)
WASHINGTON ENVIRONMENTAL)
COUNCIL, WASHINGTON)
PHYSICIANS FOR SOCIAL)
RESPONSIBILITY, STAND)
EARTH, AND THE PUYALLUP)
TRIBE OF INDIANS,)
)
Appellants,)
)
vs.)
)
PUGET SOUND CLEAN AIR)
AGENCY, PUGET SOUND)
ENERGY, INC.,)
)
Respondents.)

PHCB NO. P19-087C

ORAL VIDEOTAPED DEPOSITION

JAMES HOGAN

AUGUST 7, 2020

ORAL VIDEOTAPED DEPOSITION OF JAMES HOGAN, via Zoom,
produced as a witness at the instance of the Appellant,
the Puyallup Tribe of Indians, and duly sworn, was taken
in the above-styled and numbered cause on the 7th day of
August, 2020, from 2:04 p.m. to 4:34 p.m., before
Melinda Barre, Certified Shorthand Reporter in and for
the State of Texas, reported by computerized stenotype
machine, all parties appearing remotely via web
videoconference, pursuant to the Rules of Procedure and
the provisions stated on the record or attached hereto.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

APPEARANCES
(ALL APPEARED VIA ZOOM VIDEO CONFERENCE.)

FOR APPELLANT THE PUYALLUP TRIBE OF INDIANS:

Mr. Geoff J.M. Bridgman
Mr. Nick Thomas
OGDEN MURPHY WALLACE, P.L.L.C.
1601 5th Avenue
Seattle, Washington 98101
Telephone: 206.447.7000
E-mail: gbridgman@omwlaw.com

-and-

Ms. Lisa Anderson
LAW OFFICE, PUYALLUP INDIAN TRIBE
3009 East Portland Avenue
Tacoma, Washington 98404
Telephone: 206.447.7000
E-mail: lisa.anderson@puyalluptribe-nsn.gov

FOR APPELLANT ADVOCATES FOR A CLEANER TACOMA:

Mr. Jan Hasselman
Mr. Jaimini Parekh
EARTHJUSTIICE
810 Third Avenue, Suite 610
Seattle Washington 98104
Telephone: 206.343.7340
E-mail: jhassleman@earthjustice.org

FOR RESPONDENT PUGET SOUND ENERGY, INC.:

Mr. Tadas A. Kisielius
VAN NESS FELDMAN LLP
719 2nd Avenue 1150
Seattle, Washington 98104
Telephone: 206.382.9540
E-mail: tak@vnf.com

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

APPEARANCES

FOR RESPONDENT PUGET SOUND ENERGY, INC.:

Ms. Allison Watkin Mallick
Mr. Joshua Frank
BAKER BOTTS LLP
700 K Street NW
Washington, D.C. 20001
Telephone: 202.639.7748
E-mail: allison.mallick@bakerbotts.com

FOR RESPONDENT PUGET SOUND CLEAN AIR AGENCY:

Ms. Jennifer Dold
Ms. Jennifer Elias
PUGET SOUND CLEAN AIR AGENCY
1904 3rd Avenue, Suite 105
Seattle Washington 98101
Telephone: 206.621.8868

ALSO PRESENT: Robert Velasco, Videographer
Lorna Lubbe

In the Matter Of:

ACT vs

Puget Sound Clean Air Agency

JIM HOGAN

December 14, 2020



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

POLLUTION CONTROL HEARINGS BOARD
FOR THE STATE OF WASHINGTON

ADVOCATES FOR A CLEANER TACOMA,	§	
SIERRA CLUB, WASHINGTON	§	
ENVIRONMENTAL COUNCIL,	§	
WASHINGTON PHYSICIANS FOR SOCIAL	§	
RESPONSIBILITY, STAND.EARTH and	§	
THE PUYALLUP TRIBE OF INDIANS,	§	
	§	
Appellants,	§	
	§	
v.	§	PCHB NO. P19-087c
	§	
PUGET SOUND CLEAN AIR AGENCY	§	
and PUGET SOUND ENERGY,	§	
	§	
Respondents.	§	

* * * * *

REMOTE ORAL DEPOSITION OF
JIM HOGAN, CORPORATE REPRESENTATIVE
December 14, 2020

* * * * *

REMOTE ORAL DEPOSITION OF JIM HOGAN, CORPORATE REPRESENTATIVE, produced as a witness and duly sworn, was taken in the above-styled and numbered cause on December 14, 2020, from 9:05 a.m. PST until 5:27 p.m. PST, before Suzanne Kelly, RDR, CRR, in and for the State of Texas, reported by stenographic method with all participants appearing remotely from separate locations pursuant to emergency orders related to the COVID-19 pandemic.

Reported by: Suzanne Kelly, RDR, CRR

Job Number: 2020-767012

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

APPEARANCES

FOR THE APPELLANTS ADVOCATES FOR A CLEANER TACOMA,
SIERRA CLUB, WASHINGTON ENVIRONMENTAL COUNCIL,
WASHINGTON PHYSICIANS FOR SOCIAL RESPONSIBILITY,
STAND.EARTH:

Jaimini Parekh, Esq.
Jan E. Hasselman, Esq.
EARTH JUSTICE
810 Third Avenue
Suite 610
Seattle, Washington 98104
206.343.7340
jparekh@earthjustice.org
jhasselman@earthjustice.org

FOR THE APPELLANTS THE PUYALLUP INDIAN TRIBE:

Geoff J.M. Bridgman, Esq.
Nicholas G. Thomas, Esq.
OGDEN MURPHY WALLACE, PLLC
901 5th Avenue
Suite 3500
Seattle, Washington 98164
206.447.7000
gbridgman@omwlaw.com
nthomas@omwlaw.com

FOR THE RESPONDENTS PUGET SOUND ENERGY, INC.:

Tadas A. Kisielius, Esq.
VAN NESS FELDMAN, LLP
1191 Second Avenue
Suite 1800
Seattle, Washington 98101
206.829.1805
tak@vnf.com

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

APPEARANCES (Continued)

Joshua B. Frank, Esq.
Allison Watkins Mallick, Esq.
BAKER BOTTS, LLP
700 K Street, NW
Washington, DC 20001
202.639.7748
joshua.frank@bakerbotts.com
allison.mallick@bakerbotts.com

Lorna Luebbe, Esq.
PUGET SOUND ENERGY
355 110th Avenue NE
Bellevue, Washington 98004
425.462.3031
lorna.luebbe@pse.com

FOR THE RESPONDENTS PUGET SOUND CLEAN AIR ENERGY,
INC.:

Jennifer Elias, Esq.
PUGET SOUND CLEAN AIR AGENCY
1904 3rd Avenue
Suite 105
Seattle, Washington 98101
206.343.8800
jennifere@psccleanair.gov

ALSO PRESENT:

Mr. Rick Christian, Videographer

In the Matter Of:

ADVOCATES FOR A CLEANER TACOMA vs

PUGET SOUND CLEAN AIR AGENCY

JAMES HOGAN

January 07, 2021



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

POLLUTION CONTROL HEARINGS BOARD

STATE OF WASHINGTON

ADVOCATES FOR A CLEANER)	
TACOMA, SIERRA CLUB,	)	PHCB No.
WASHINGTON ENVIRONMENTAL)	
COUNCIL, WASHINGTON	)	P19-087C
PHYSICIANS FOR SOCIAL)	
RESPONSIBILITY, STAND.EARTH,)	
and THE PUYALLUP TRIBE OF)	
INDIANS,)	
)	
Appellants,)	
vs.)	
)	
PUGET SOUND CLEAN AIR AGENCY;)	
PUGET SOUND ENERGY, INC.)	
)	
Respondents.)	

REMOTE VIDEOTAPED 30(b)(6) DEPOSITION

UPON ORAL EXAMINATION

OF

PUGET SOUND ENERGY, INC.

BY

JAMES HOGAN

January 7, 2021

9:00 a.m. (PST)

Remotely Reported Stenographically By:
 Mayleen Ahmed, RMR, CRR, CRC
 Washington CCR No. 3402
 Job No.: 772705

1 REMOTE APPEARANCES VIA LEXITAS LEGALVIEW

2 On behalf of the Appellant
3 The Puyallup Tribe of Indians:

4 NICHOLAS G. THOMAS, ESQ.
5 GEOFF BRIDGMAN, ESQ.
6 OGDEN MURPHY WALLACE, P.L.L.C.
7 901 5th Avenue - Suite 3500
8 Seattle, Washington 98164
9 206.447.7000
10 nthomas@omwlaw.com
11 gbridgman@omwlaw.com

12 -and

13 LISA A. ANDERSON, ESQ.
14 LAW OFFICE, PUYALLUP INDIAN TRIBE
15 3009 East Portland Avenue
16 Tacoma, Washington 98404
17 lisa.anderson@PuyallupTribe-nsn.gov

18 On behalf of the Respondent
19 Puget Sound Clean Air Agency:

20 JENNIFER DOLD, ESQ.
21 JENNIFER ELIAS, ESQ.
22 PUGET SOUND CLEAN AIR AGENCY
23 1904 Third Avenue - Suite 105
24 Seattle, Washington, 98101
25 206.689.4015
jenniferd@psccleanair.gov
jennifere@psccleanair.gov

On behalf of the Respondent
Puget Sound Energy, Inc.:

JOSHUA B. FRANK, ESQ.
ALLISON WATKINS-MALLICK, ESQ.
BAKER BOTTS L.L.P.
700 K Street NW
Washington, D.C. 20001
202.639.7748
joshua.frank@bakerbotts.com
allison.mallick@bakerbotts.com

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

REMOTE APPEARANCES VIA LEXITAS LEGALVIEW (cont'd)

On behalf of the Respondent
Puget Sound Energy, Inc.:

TADAS A. KISIELIUS, ESQ.
VAN NESS FELDMAN LLP
719 Second Avenue - Suite 1150
Seattle , Washington 98104
206.623.9372
tak@vnf.com

ALSO PRESENT:

LORNA LUEBBE, Assistant General Counsel, Director
Environmental and Program Services, PSE

SCOTT PERLOFF, Video/Document Technician, Lexitas

---o0o---

In the Matter Of:

ACT v

PSCAA

ERI OTTERSBURG

January 05, 2021



POLLUTION CONTROL HEARINGS BOARD

STATE OF WASHINGTON

ADVOCATES FOR A CLEANER)	
TACOMA, SIERRA CLUB,	)	PHCB No.
WASHINGTON ENVIRONMENTAL)	
COUNCIL, WASHINGTON	)	P19-087C
PHYSICIANS FOR SOCIAL)	
RESPONSIBILITY, STAND.EARTH,)	
and THE PUYALLUP TRIBE OF)	
INDIANS,)	
	)	Appellants,
vs.)	
)	
PUGET SOUND CLEAN AIR AGENCY;)	
PUGET SOUND ENERGY, INC.)	
)	
	)	Respondents.

REMOTE VIDEOTAPED 30(b)(6) DEPOSITION

UPON ORAL EXAMINATION

OF

PUGET SOUND ENERGY, INC.

BY

ERI OTTERSBERG

January 5, 2021

3:25 p.m. (PST)

Remotely Reported Stenographically By:
 Mayleen Ahmed, RMR, CRR, CRC
 Washington CCR No. 3402
 Job No.: 772704

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

REMOTE APPEARANCES VIA LEXITAS LEGALVIEW

On behalf of the Appellant
The Puyallup Tribe of Indians:

NICHOLAS G. THOMAS, ESQ.
GEOFF BRIDGMAN, ESQ.
OGDEN MURPHY WALLACE, P.L.L.C.
901 5th Avenue - Suite 3500
Seattle, Washington 98164
206.447.7000
nthomas@omwlaw.com
gbridgman@omwlaw.com

-and

LISA A. ANDERSON, ESQ.
LAW OFFICE, PUYALLUP INDIAN TRIBE
3009 East Portland Avenue
Tacoma, Washington 98404
lisa.anderson@PuyallupTribe-nsn.gov

On behalf of the Respondent
Puget Sound Clean Air Agency:

JENNIFER DOLD, ESQ.
PUGET SOUND CLEAN AIR AGENCY
1904 Third Avenue - Suite 105
Seattle, Washington, 98101
206.689.4015
jenniferd@psc Clean Air Agency.gov

On behalf of the Respondent
Puget Sound Energy, Inc., and Landau Associates:

JOSHUA B. FRANK, ESQ.
ALLISON WATKINS MALLICK, ESQ.
TIFFANY CHEUNG, ESQ.
BAKER BOTTS L.L.P.
700 K Street NW
Washington, D.C. 20001
202.639.7748
joshua.frank@bakerbotts.com
allison.mallick@bakerbotts.com
tiffany.cheung@bakerbotts.com

1 REMOTE APPEARANCES VIA LEXITAS LEGALVIEW (cont'd)

2 On behalf of the Respondent
3 Puget Sound Energy, Inc.:

4 THOMAS R. WOOD, ESQ.
5 STOEL RIVES LLP
6 760 SW Ninth Avenue - Suite 3000
7 Seattle, Oregon 97205
8 503.294.9396
9 tom.wood@stoel.com

10 ALSO PRESENT:

11 SCOTT PERLOFF, Video/Document Technician, Lexitas

12

---o0o---

13

14

15

16

17

18

19

20

21

22

23

24

25

In the Matter Of:

ACT vs

PSCAA

MATTHEW SOBART

February 18, 2021



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

POLLUTION CONTROL HEARINGS BOARD

STATE OF WASHINGTON

ADVOCATES FOR A CLEANER)	
TACOMA, SIERRA CLUB,	)	PHCB No.
WASHINGTON ENVIRONMENTAL)	
COUNCIL, WASHINGTON	)	P19-087C
PHYSICIANS FOR SOCIAL)	
RESPONSIBILITY, STAND.EARTH,)	
and THE PUYALLUP TRIBE OF)	
INDIANS,)	
	)	Appellants,
vs.)	
)	
PUGET SOUND CLEAN AIR AGENCY;)	
PUGET SOUND ENERGY, INC.)	
)	
	)	Respondents.

REMOTE VIDEOTAPED 30(b)(6) DEPOSITION

UPON ORAL EXAMINATION

OF

PUGENT SOUND ENERGY, INC.

BY

MATTHEW STOBART

February 18, 2021

11:26 a.m. (CST)

Remotely Reported Stenographically By:
 Mayleen Ahmed, RMR, CRR, CRC
 Washington CCR No. 3402
 Job No.: 779913

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

REMOTE APPEARANCES VIA LEXITAS LEGALVIEW

On behalf of the Appellant
The Puyallup Tribe of Indians:

NICHOLAS G. THOMAS, ESQ.
GEOFF BRIDGMAN, ESQ.
OGDEN MURPHY WALLACE, P.L.L.C.
901 5th Avenue - Suite 3500
Seattle, Washington 98164
206.447.7000
nthomas@omwlaw.com
gbridgman@omwlaw.com

On behalf of the Respondent
Puget Sound Clean Air Agency:

JENNIFER DOLD, ESQ.
PUGET SOUND CLEAN AIR AGENCY
1904 Third Avenue - Suite 105
Seattle, Washington, 98101
206.689.4015
jenniferd@psc Clean Air.gov

On behalf of the Respondent
Puget Sound Energy, Inc.:

JOSHUA B. FRANK, ESQ.
ALLISON WATKINS MALLICK, ESQ.
BAKER BOTTS L.L.P.
700 K Street NW
Washington, D.C. 20001
202.639.7748
joshua.frank@bakerbotts.com
allison.mallick@bakerbotts.com

-and-

TADAS A. KISIELIUS, ESQ.
VAN NESS FELDMAN LLP
719 Second Avenue - Suite 1150
Seattle, Washington 98104
206.623.9372
tak@vnf.com

1 REMOTE APPEARANCES VIA LEXITAS LEGALVIEW (cont'd)

2 On behalf of the Respondent
3 Puget Sound Energy, Inc.:

4 THOMAS R. WOOD, ESQ.
5 STOEL RIVES LLP
6 760 SW Ninth Avenue - Suite 3000
7 Seattle, Oregon 97205
8 503.294.9396
9 tom.wood@stoel.com

10 On behalf of CB&I and McDermott International:

11 MIA JAHNCKE, Senior Legal Counsel
12 McDERMOTT INTERNATIONAL, LTD.
13 757 N. Eldridge Parkway
14 Houston, Texas 77079
15 281.870.5000
16 mia.jahncke@mcdermott.com

17 ALSO PRESENT:

18 MARK HALL, Construction Manager, CB&I

19 RANAJIT SAHU, Ph.D., QEP, CEM

20 SCOTT PERLOFF, Video/Document Technician, Lexitas

21
22
23
24
25
---o0o---

In the Matter Of:

ACT vs

PSCAA

RANAJIT SAHU PH.D., QEP, CEM

December 17, 2020



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

POLLUTION CONTROL HEARINGS BOARD

STATE OF WASHINGTON

ADVOCATES FOR A CLEANER)	
TACOMA, SIERRA CLUB,	)	PHCB No.
WASHINGTON ENVIRONMENTAL)	
COUNCIL, WASHINGTON	)	P19-087C
PHYSICIANS FOR SOCIAL)	
RESPONSIBILITY, STAND.EARTH,)	
and THE PUYALLUP TRIBE OF)	
INDIANS,)	
)	
)	
Appellants,)	
vs.)	
)	
PUGET SOUND CLEAN AIR AGENCY;)	
PUGET SOUND ENERGY, INC.)	
)	
Respondents.)	

REMOTE VIDEOTAPED DEPOSITION UPON ORAL EXAMINATION

OF

RANAJIT SAHU, Ph.D., QEP, CEM

December 17, 2020

8:59 A.M. (PST)

Remotely Reported Stenographically By:
 Mayleen Ahmed, RMR, CRR, CRC
 WA CCR No. 3402
 Job No.: 769661

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

REMOTE APPEARANCES VIA LEXITAS LEGALVIEW

On behalf of the Appellant
The Puyallup Tribe of Indians:

GEOFF BRIDGMAN, ESQ.
OGDEN MURPHY WALLACE, P.L.L.C.
901 5th Avenue - Suite 3500
Seattle, Washington 98164
206.447.7000
gbridgman@omwlaw.com

-and

LISA A. ANDERSON, ESQ.
LAW OFFICE, PUYALLUP INDIAN TRIBE
3009 East Portland Avenue
Tacoma, Washington 98404
lisa.anderson@PuyallupTribe-nsn.gov

On behalf of the Respondent
Puget Sound Clean Air Agency:

JENNIFER DOLD, ESQ.
JENNIFER ELIAS, ESQ.
PUGET SOUND CLEAN AIR AGENCY
1904 Third Avenue - Suite 105
Seattle, Washington, 98101
206.689.4015
jenniferd@psccleanair.gov
jennifere@psccleanair.gov

On behalf of the Respondent
Puget Sound Energy, Inc.:

JOSHUA B. FRANK, ESQ.
TIFFANY CHEUNG, ESQ.
BAKER BOTTS L.L.P.
700 K Street NW
Washington, D.C. 20001
202.639.7748
joshua.frank@bakerbotts.com
tiffany.cheung@bakerbotts.com

1 REMOTE APPEARANCES VIA LEXITAS LEGALVIEW (cont'd)

2 On behalf of the Respondent
3 Puget Sound Energy, Inc.:

4 THOMAS R. WOOD, ESQ.
5 STOEL RIVES LLP
6 760 SW Ninth Avenue - Suite 3000
7 Seattle, Oregon 97205
8 503.294.9396
9 tom.wood@stoel.com

10 ALSO PRESENT:

11 RICK CHRISTIAN, Video/Document Technician, Lexitas

12 ---o0o---

13
14
15
16
17
18
19
20
21
22
23
24
25

In the Matter Of:

ACT v

PSCAA

RANAJIT SAHU, PH.D., QEP, CEM

March 04, 2021



POLLUTION CONTROL HEARINGS BOARD

STATE OF WASHINGTON

ADVOCATES FOR A CLEANER)
 TACOMA, SIERRA CLUB,) PHCB No.
 WASHINGTON ENVIRONMENTAL)
 COUNCIL, WASHINGTON) P19-087C
 PHYSICIANS FOR SOCIAL)
 RESPONSIBILITY, STAND.EARTH,)
 and THE PUYALLUP TRIBE OF)
 INDIANS,)
) VOL 1 OF 2

Appellants,)
 vs.)

PUGET SOUND CLEAN AIR AGENCY;)
 PUGET SOUND ENERGY, INC.)

Respondents.)

REMOTE VIDEOTAPED DEPOSITION UPON ORAL EXAMINATION

OF

RANAJIT SAHU, Ph.D., QEP, CEM

March 4, 2021

7:59 A.M. (PST)

Remotely Reported Stenographically By:
 Mayleen Ahmed, RMR, CRR, CRC
 WA CCR No. 3402
 Job No.: 781126

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

REMOTE APPEARANCES VIA LEXITAS LEGALVIEW

On behalf of the Appellant
The Puyallup Tribe of Indians:

GEOFF BRIDGMAN, ESQ.
NICHOLAS THOMAS, ESQ.
OGDEN MURPHY WALLACE, P.L.L.C.
901 5th Avenue - Suite 3500
Seattle, Washington 98164
206.447.7000
gbridgman@omwlaw.com
nthomas@omwlaw.com

-and

LISA A. ANDERSON, ESQ.
LAW OFFICE, PUYALLUP INDIAN TRIBE
3009 East Portland Avenue
Tacoma, Washington 98404
lisa.anderson@PuyallupTribe-nsn.gov

On behalf of the Respondent
Puget Sound Clean Air Agency:

JENNIFER DOLD, ESQ.
PUGET SOUND CLEAN AIR AGENCY
1904 Third Avenue - Suite 105
Seattle, Washington, 98101
206.689.4015
jenniferd@psc Clean Air.gov

On behalf of the Respondent
Puget Sound Energy, Inc.:

JOSHUA B. FRANK, ESQ.
ALLISON WATKINS MALLICK, ESQ.
TIFFANY CHEUNG, ESQ.
BAKER BOTTS L.L.P.
700 K Street NW
Washington, D.C. 20001
202.639.7748
joshua.frank@bakerbotts.com
allison.mallick@bakerbotts.com
tiffany.cheung@bakerbotts.com

1 REMOTE APPEARANCES VIA LEXITAS LEGALVIEW (cont'd)

2 On behalf of the Respondent
3 Puget Sound Energy, Inc.:

4 THOMAS R. WOOD, ESQ.
5 STOEL RIVES LLP
6 760 SW Ninth Avenue - Suite 3000
7 Seattle, Oregon 97205
8 503.294.9396
9 tom.wood@stoel.com

10 -and-

11 TADAS A. KISIELIUS, ESQ.
12 VAN NESS FELDMAN LLP
13 719 Second Avenue - Suite 1150
14 Seattle , Washington 98104
15 206.623.9372
16 tak@vnf.com

17 ALSO PRESENT:

18 JOSEPH D. SMITH, Ph.D.

19 SHARI LABICKI, Ph.D.

20 SCOTT PERLOFF, Video/Document Technician, Lexitas

21 ---o0o---

22

23

24

25

In the Matter Of:

ACT v

PSCAA

RANAJIT SAHU, PH.D., QEP, CEM

March 05, 2021



POLLUTION CONTROL HEARINGS BOARD

STATE OF WASHINGTON

ADVOCATES FOR A CLEANER)	
TACOMA, SIERRA CLUB,	)	PHCB No.
WASHINGTON ENVIRONMENTAL)	
COUNCIL, WASHINGTON	)	P19-087C
PHYSICIANS FOR SOCIAL)	
RESPONSIBILITY, STAND.EARTH,)	
and THE PUYALLUP TRIBE OF)	
INDIANS,)	
	)	VOL 2 OF 2
Appellants,)	
vs.)	
)	
PUGET SOUND CLEAN AIR AGENCY;)	
PUGET SOUND ENERGY, INC.)	
)	
Respondents.)	

REMOTE VIDEOTAPED DEPOSITION UPON ORAL EXAMINATION

OF

RANAJIT SAHU, Ph.D., QEP, CEM

March 5, 2021

8:01 A.M. (PST)

Remotely Reported Stenographically By:
 Mayleen Ahmed, RMR, CRR, CRC
 WA CCR No. 3402
 Job No.: 781128

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

REMOTE APPEARANCES VIA LEXITAS LEGALVIEW

On behalf of the Appellant
The Puyallup Tribe of Indians:

GEOFF BRIDGMAN, ESQ.
NICHOLAS THOMAS, ESQ.
OGDEN MURPHY WALLACE, P.L.L.C.
901 5th Avenue - Suite 3500
Seattle, Washington 98164
206.447.7000
gbridgman@omwlaw.com
nthomas@omwlaw.com

-and

LISA A. ANDERSON, ESQ.
LAW OFFICE, PUYALLUP INDIAN TRIBE
3009 East Portland Avenue
Tacoma, Washington 98404
lisa.anderson@PuyallupTribe-nsn.gov

On behalf of the Respondent
Puget Sound Clean Air Agency:

JENNIFER DOLD, ESQ.
PUGET SOUND CLEAN AIR AGENCY
1904 Third Avenue - Suite 105
Seattle, Washington, 98101
206.689.4015
jenniferd@psc Clean Air.gov

On behalf of the Respondent
Puget Sound Energy, Inc.:

JOSHUA B. FRANK, ESQ.
ALLISON WATKINS MALLICK, ESQ.
TIFFANY CHEUNG, ESQ.
BAKER BOTTS L.L.P.
700 K Street NW
Washington, D.C. 20001
202.639.7748
joshua.frank@bakerbotts.com
allison.mallick@bakerbotts.com
tiffany.cheung@bakerbotts.com

1 REMOTE APPEARANCES VIA LEXITAS LEGALVIEW (cont'd)

2 On behalf of the Respondent
3 Puget Sound Energy, Inc.:

4 THOMAS R. WOOD, ESQ.
5 STOEL RIVES LLP
6 760 SW Ninth Avenue - Suite 3000
7 Seattle, Oregon 97205
8 503.294.9396
9 tom.wood@stoel.com

10 -and-

11 TADAS A. KISIELIUS, ESQ.
12 VAN NESS FELDMAN LLP
13 719 Second Avenue - Suite 1150
14 Seattle, Washington 98104
15 206.623.9372
16 tak@vnf.com

17 ALSO PRESENT:

18 SHARI LABICKI, Ph.D.

19 SCOTT PERLOFF, Video/Document Technician, Lexitas

20 ---o0o---

21

22

23

24

25

In the Matter Of:

ACT v

PSCAA

JOSEPH SMITH, PH.D.

January 11, 2021



POLLUTION CONTROL HEARINGS BOARD

STATE OF WASHINGTON

ADVOCATES FOR A CLEANER)	
TACOMA, SIERRA CLUB,	)	PHCB No.
WASHINGTON ENVIRONMENTAL)	
COUNCIL, WASHINGTON	)	P19-087C
PHYSICIANS FOR SOCIAL)	
RESPONSIBILITY, STAND.EARTH,)	
and THE PUYALLUP TRIBE OF)	
INDIANS,)	
)	
)	
Appellants,)	
vs.)	
)	
PUGET SOUND CLEAN AIR AGENCY;)	
PUGET SOUND ENERGY, INC.)	
)	
Respondents.)	

REMOTE VIDEOTAPED DEPOSITION UPON ORAL EXAMINATION

OF

JOSEPH D. SMITH, Ph.D.

January 11, 2021

11:02 a.m. (CST)

Remotely Reported Stenographically By:
 Mayleen Ahmed, RMR, CRR, CRC, CSR-WA #3402
 Job No.: 772693

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

REMOTE APPEARANCES VIA LEXITAS LEGALVIEW

On behalf of the Appellant
The Puyallup Tribe of Indians:

GEOFF BRIDGMAN, ESQ.
NICHOLAS G. THOMAS, ESQ.
OGDEN MURPHY WALLACE, P.L.L.C.
901 5th Avenue - Suite 3500
Seattle, Washington 98164
206.447.7000
gbridgman@omwlaw.com
nthomas@omwlaw.cm

-and

LISA A. ANDERSON, ESQ.
LAW OFFICE, PUYALLUP INDIAN TRIBE
3009 East Portland Avenue
Tacoma, Washington 98404
lisa.anderson@PuyallupTribe-nsn.gov

On behalf of the Respondent
Puget Sound Clean Air Agency:

JENNIFER DOLD, ESQ.
PUGET SOUND CLEAN AIR AGENCY
1904 Third Avenue - Suite 105
Seattle, Washington, 98101
206.689.4015
jenniferd@pscleanair.gov

On behalf of the Respondent
Puget Sound Energy, Inc.:

JOSHUA B. FRANK, ESQ.
ALLISON WATKINS-MALLICK, ESQ.
TIFFANY CHEUNG, ESQ.
BAKER BOTTS L.L.P.
700 K Street NW
Washington, D.C. 20001
202.639.7748
joshua.frank@bakerbotts.com
allison.mallick@bakerbotts.com
tiffany.cheung@bakerbotts.com

1 REMOTE APPEARANCES VIA LEXITAS LEGALVIEW (cont'd)

2 On behalf of the Respondent
3 Puget Sound Energy, Inc.:

4 THOMAS R. WOOD, ESQ.
5 STOEL RIVES LLP
6 760 SW Ninth Avenue - Suite 3000
7 Seattle, Oregon 97205
8 503.294.9396
9 tom.wood@stoel.com

7

8 ALSO PRESENT:

9 RICK CHRISTIAN, Video/Document Technician, Lexitas

10

---o0o---

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

POLLUTION CONTROL HEARINGS BOARD

STATE OF WASHINGTON

ADVOCATES FOR A CLEANER)
TACOMA, SIERRA CLUB,)
WASHINGTON ENVIRONMENTAL) PHCB NO. P19-087C4
COUNCIL, WASHINGTON)
PHYSICIANS FOR SOCIAL)
RESPONSIBILITY, STAND.EARTH,)
AND THE PUYALLUP TRIBE OF)
INDIANS,)
))
Appellants,)
))
v.)
))
PUGET SOUND CLEAN AIR AGENCY;)
PUGET SOUND ENERGY, INC.,)
))
Respondents.)

DEPOSITION UPON ORAL EXAMINATION

VIA ZOOM VIDEO CONFERENCING

OF

THOMAS O. SPICER, Ph.D.

***** PLEASE NOTE THAT THIS TRANSCRIPT
CONTAINS CONFIDENTIAL INFORMATION THAT IS
COVERED BY A PROTECTIVE ORDER -
ATTORNEYS' EYES ONLY *****

DATE: Friday, January 15, 2021, 9:00 A.M.

REPORTED BY: Annamarie C. Spangrud, CCR

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

A P P E A R A N C E S

ATTORNEYS FOR THE APPELLANTS ADVOCATES FOR A CLEANER TACOMA, SIERRA CLUB - WASHINGTON CHAPTER; WASHINGTON ENVIRONMENTAL COUNCIL; WASHINGTON PHYSICIANS FOR SOCIAL RESPONSIBILITY; AND STAND.EARTH:

JAIMINI PAREKH, ESQUIRE
JAN HASSELMAN, ESQUIRE
EARTH JUSTICE
810 Third Avenue, Suite 610
Seattle, WA 98104
jparekh@earthjustice.org
jhasselman@earthjustice.org

ATTORNEYS FOR THE APPELLANTS PUYALLUP TRIBE OF INDIANS:

GEOFF J.M. BRIDGMAN, ESQUIRE
NICHOLAS THOMAS, ESQUIRE
OGDEN MURPHY WALLACE
901 Fifth Avenue, Suite 3500
Seattle, WA 98164
gbridgman@omwlaw.com
nthomas@omwlaw.com

LISA A. ANDERSON, ESQUIRE
LAW OFFICE, PUYALLUP INDIAN TRIBE
3009 East Portland Avenue
Tacoma, WA 98404
lisa.anderson@puyalluptribe-nsn.gov

ATTORNEYS FOR THE RESPONDENTS PUGET SOUND ENERGY, INC.:

TADAS A. KISIELIUS, ESQUIRE
VAN NESS FELDMAN
1191 Second Avenue, Suite 1800
Seattle, WA 98101
tak@vnf.com

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

A P P E A R A N C E S

[Continued]

FOR THE RESPONDENTS PUGET SOUND CLEAN AIR AGENCY:

JENNIFER DOLD, ESQUIRE
GENERAL COUNSEL
1904 Third Avenue, Suite 105
Seattle, WA 98101
jenniferd@psc Clean Air.gov

ALSO PRESENT: DR. FILIPPO GAVELLO

In the Matter Of:

ACT v

PSCAA

WILLIAM STEINER

January 18, 2021



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

POLLUTION CONTROL HEARINGS BOARD

STATE OF WASHINGTON

ADVOCATES FOR A CLEANER TACOMA,
SIERRA CLUB, WASHINGTON
ENVIRONMENTAL COUNCIL,
WASHINGTON PHYSICIANS FOR SOCIAL
RESPONSIBILITY, STAND, EARTH,
AND THE PUYALLUP TRIBE OF INDIANS,

Appellants,

vs.

PHCB No. P19-087C

PUGET SOUND CLEAN AIR AGENCY;
PUGET SOUND ENERGY, INC.,

Respondents.

-----/

REMOTELY CONDUCTED

VIDEOTAPED DEPOSITION OF WILLIAM E. STEINER

Monday, January 18, 2021

Stenographically reported by:
LORRIE L. MARCHANT, RMR, CRR, CCRR, CRC
California CSR No. 10523
Washington CSR No. 3318
Oregon CSR No. 19-0458
Texas CSR No. 11318

Job No.: 767028

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

A P P E A R A N C E S

(All appearances remotely via Zoom)

Counsel for Appellant The Puyallup Tribe of Indians:

OGDEN MURPHY WALLACE, P.L.L.C.
BY: NICHOLAS G. THOMAS, ESQ.
GEOFF J.M. BRIDGMAN, ESQ.
901 5th Avenue, Suite 3500
Seattle, WA 98164
(206) 447-7000
nthomas@omwlaw.com
gbridgman@omwlaw.com

Co-Counsel for Puget Sound Energy, Inc.:

BAKER BOTTS
BY: JOSHUA B. FRANK, ESQ.
ALLISON WATKINS MALLICK, ESQ.
TIFFANY CHEUNG, ESQ.
700 K Street NW
Washington, DC 20001
(202) 639-7748
joshua.frank@bakerbotts.com
allison.mallick@bakerbotts.com
tiffany.cheung@bakerbotts.com

Counsel for Puget Sound Clean Air Agency:

PUGET SOUND CLEAN AIR AGENCY
BY: JENNIFER DOLD, ESQ.
1904 3rd Avenue, Suite 105
Seattle, WA 98101
jenniferd@psc Cleanair.gov

Co-Counsel for Puget Sound Energy, Inc.:

STOEL RIVES, LLP
BY: THOMAS R. WOOD, ESQ.
760 SW Ninth Avenue, Suite 3000
Portland, OR 97205
(503) 294-9396

Also present:

Rick Christian, Lexitas legal
video specialist

---oOo---

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

BEFORE THE POLLUTION CONTROL HEARINGS BOARD

STATE OF WASHINGTON

ADVOCATES FOR A CLEANER TACOMA;)	
SIERRA CLUB; WASHINGTON)	
ENVIRONMENTAL COUNCIL; WASHINGTON)	
PHYSICIANS FOR SOCIAL)	
RESPONSIBILITY; STAND.EARTH, and	)	PCHB No. P19-087c
THE PUYALLUP TRIBE OF INDIANS, a)	
federally recognized Indian Tribe,)	
)	
Appellants,)	
)	
vs.)	
)	
PUGET SOUND CLEAN AIR AGENCY;)	
PUGET SOUND ENERGY, INC.,)	
)	
Respondents.)	

VIDEOCONFERENCE DEPOSITION OF STEFAN UNNASCH

December 9, 2020

Olympia, Washington

Pages 1 through 153

Reported by:

Andrea Clevenger, CCR No. 3041

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

APPEARANCES

For the Appellants:

Jan Hasselman
Jaimini Parekh
Earth Justice
810 Third Avenue
Suite 610
Seattle, Washington 98104
206.343.7340
jhasselman@earthjustice.org

For Appellant The Puyallup Tribe of Indians:

Geoff J.M. Bridgman
Nicholas Thomas
Lisa Anderson
Ogden Murphy Wallace, PLLC
901 5th Avenue
Suite 3500
Seattle, Washington 98164
206.447.7000
gbridgman@omwlaw.com

For Respondents Puget Sound Energy:

Tadas A. Kisielius
VanNess Feldman LLP
719 Second Avenue, Suite 1150
Seattle, Washington 98104
206.802.3840
tak@vnf.com

For Respondent Puget Sound Clean Air Agency:

Jennifer A. Dold
Puget Sound Clean Air Agency
1904 3rd Avenue
Suite 105
Seattle, Washington 98101
206.689.4015
206.343.7522 Fax
jenniferd@psc Clean Air Agency