



STATE OF WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION  
1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250  
(360) 664-1160 • [www.utc.wa.gov](http://www.utc.wa.gov)

February 22, 2016

**NOTICE GRANTING PERMISSION TO WITHDRAW  
CONFIDENTIALITY AGREEMENTS OF  
JULIE MULLER-NEFF AND BRIAN FLUETSCH**

RE: *Washington Utilities and Transportation Commission v. Puget Sound Energy*,  
Dockets UE-151871 and UG-151872 (*Consolidated*)

TO ALL PARTIES:

On September 18, 2015, Puget Sound Energy (PSE or Company) filed with the Washington Utilities and Transportation Commission (Commission) revisions to its currently effective tariffs WN U-60 schedule 75 and WN U-2 schedule 175 to offer electric and natural gas equipment lease service to its customers. The stated purpose of the filings is to “stimulate the installation of additional energy efficient equipment, provide customers with simple and comprehensive turn-key solutions, provide broader more affordable access to services, and expand existing market activity.”

On January 7, 2016, the Commission entered Order 02, Prehearing Conference Order, which granted the petition to intervene of the Western Washington Chapter of the Sheet Metal and Air Conditioning Contractors National Association (SMACNA-WW or Association), among other procedural rulings. The Commission also entered Order 03, Protective Order with Highly Confidential Provisions.

On February 5, 2016, SMACNA-WW filed agreements to be bound by the confidentiality provisions of Order 03 (Confidentiality Agreements) signed by Julie Muller-Neff and Brian Fluetsch as experts on behalf of the Association.

On February 16, 2016, PSE filed objections to the designation of Ms. Muller-Neff and Mr. Fluetsch as experts who may have access to confidential information. The Company states that Order 03 prohibits officers, directors, employees, major shareholders, or principals of any party from being designated as such experts, and both of these individuals are directors and officers of SMACNA-WW. Accordingly, PSE requests that the Commission reject these Confidentiality Agreements.

On February 19, 2016, SMACNA-WW filed its reply to PSE's objections. SMACNA-WW concedes that Ms. Muller-Neff and Mr. Fluetsch are either officers or directors of the Association and cannot have access to confidential information under the terms of Order 03. SMACNA-WW requests that the Commission permit the Association to withdraw the Confidentiality Agreements for these individuals without prejudice to refile them in the future in conjunction with seeking a modification or exception to Order 03.

The Commission finds good cause to grant SMACNA-WW's request and permits the Association to withdraw the Confidentiality Agreements of Ms. Muller-Neff and Mr. Fluetsch.

**THE COMMISSION GIVES NOTICE That the Confidential Agreements of Julie Muller-Neff and Brian Fluetsch are withdrawn, and neither person may have access to confidential information disclosed pursuant to Order 03 in these dockets without further action by the Commission.**

GREGORY J. KOPTA  
Administrative Law Judge