

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND
TRANSPORTATION
COMMISSION,

Complainant,

v.

PUGET SOUND ENERGY,

Respondent.

DOCKET UE-161123

PUBLIC COUNSEL'S ANSWER TO
NORTHWEST AND
INTERMOUNTAIN POWER
PRODUCERS COALITION'S
PETITION FOR ADMINISTRATIVE
REVIEW

1. Public Counsel files this Answer to the Northwest and Intermountain Power Producers Coalition's (NIPPC) Petition for Administrative Review, which was filed with the Commission on December 2, 2016. Public Counsel supports NIPPC's Petition for Administrative Review because of this proceeding's importance and the perspective NIPPC will provide as an intervenor. The Commission has broad authority under RCW 34.05.443 and WAC 480-07-355 with respect to requests for intervention.
2. Generally, Puget Sound Energy's proposal in this docket raises questions of whether its proposal should go forward, but also questions of how its proposal will be implemented if approved. Some parties may argue that certain implementation issues are risks that are borne by Microsoft under the proposal; however, certain implementation issues will likely need to be addressed in this docket. Washington, unlike states with statutes implementing open access and retail wheeling, does not have robust policies in place to deal with implementation issues.¹ To

¹ See Conn. Gen. Stat. §§ 16-244 through 16-244(v) (Rev. 2015).

ensure that remaining customers are not harmed by larger customers leaving the system and becoming non-core customers, some exploration of whether Puget Sound Energy and Microsoft adequately considered implementation issues and whether the Commission should impose any additional requirements will be necessary.

3. Additionally, although this case is presented as an isolated tariff offered by a utility in response to a customer's need, one must assume that other customers and regulated companies are watching this docket with interest. Thus, this docket requires thoughtful consideration, and NIPPC's participation will provide the Commission with an additional perspective with which to weigh the proposal.

4. For these reasons, Public Counsel supports NIPPC's request that the Commission review the decision to deny its request for intervention. Public Counsel believes the record in this case would benefit from NIPPC's participation.

5. DATED this 12th day of December, 2016.

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