

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND  
TRANSPORTATION COMMISSION,

Complainant,

v.

PUGET SOUND ENERGY,

Respondent.

DOCKETS UE-170033 and  
UG-170034 (*Consolidated*)

ORDER 04

GRANTING MOTION FOR LEAVE  
TO FILE SUPPLEMENTAL  
TESTIMONY AND EXHIBITS;  
SETTING DATE FOR ANSWERING  
TESTIMONY  
**(Setting August 15, 2017, as the date  
for any answering testimony to be  
filed)**

**MEMORANDUM**

- 1 On January 13, 2017, Puget Sound Energy (PSE or Company) filed with the Washington Utilities and Transportation Commission (Commission) revisions to its currently effective Tariffs for electric and natural gas services the Company provides in Washington. The effect of these filings would be to increase rates and charges for electric service and decrease rates and charges for natural gas service. The Commission suspended the as-filed tariffs and set the matters for hearing in Order 01 on January 19, 2017. In Order 03, the Commission, among other things, established a procedural schedule including dates for parties to file Supplemental testimony, Response testimony, Cross-Answering testimony, and Rebuttal testimony.
- 2 Commission staff (Staff) and other parties filed Response testimony on June 30, 2017, in accordance with the procedural schedule. Cross-Answering and Rebuttal testimonies are scheduled to be filed on August 9, 2017.
- 3 On August 7, 2017, Staff filed a Motion for Leave to File Supplemental Testimony and Exhibits. According to Staff's motion, Staff received on August 2, 2017, a supplemental response by PSE to a Staff data request that "corrected a material error in PSE's original

response” providing information that “substantively changed a portion of the testimony and exhibits of Staff witness Jason L. Ball.”<sup>1</sup>

4 Staff now requests the Commission provide an opportunity for Mr. Ball to testify concerning the corrected information PSE provided on August 2, 2017, in the form of supplemental testimony filed with Staff’s motion. Staff’s motion states that “Mr. Ball’s supplemental testimony also includes a handful of updates to correct minor errors and incorporate the changes to his exhibits and work papers that Staff acknowledged or supported in discovery.”<sup>2</sup>

5 Staff represents that neither the Energy Project nor Public Counsel object to Staff’s motion. PSE and Northwest Industrial Gas Users (NWIGU), whose interest are most directly implicated by the subject matter of Mr. Ball’s supplemental testimony,<sup>3</sup> also do not object to the motion and have agreed to file any responsive testimony by August 15, 2017, six days after the current date established for Cross-Answering and Rebuttal testimonies.

6 The Commission’s procedural rules provide for evidentiary motions presenting “requests to limit or add to the evidentiary record in a proceeding.” WAC 480-07- 375(1)(d). In this case, it appears to be appropriate to grant leave to Staff to file supplemental testimony and to give other parties a reasonable opportunity to respond considering that Staff did not have the opportunity to incorporate correct cost of service information for natural gas special contract customers into its responsive testimony. Staff asked for this information in discovery, and PSE inadvertently provided the incorrect information. Staff’s motion states that “the Company notified Staff after discovering the mistake and supplemented the response as soon as feasible.”<sup>4</sup>

7 Although we determine that the Commission should grant Staff’s motion, we express our concern that this comes at a time so close in proximity to the hearing, which is scheduled to begin three weeks after the date of this Order, on Tuesday, August 29, 2017. However,

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<sup>1</sup> Staff Motion ¶ 1.

<sup>2</sup> *Id.*

<sup>3</sup> Mr. Ball’s supplemental testimony concerns issues related to natural gas special contract customers.

<sup>4</sup> Staff Motion ¶ 7.

because the subject matter and scope of Mr. Ball's supplemental testimony is narrow, it does not appear that this late round of filings will be unmanageably disruptive.

- 8 **THE COMMISSION GRANTS Staff's Motion for Leave to File Supplemental Testimony and Exhibits and Sets August 15, 2017, as the date by which other parties may file an testimony directly responsive to Mr. Ball's supplemental testimony.**

Dated at Olympia, Washington, and effective August 8, 2017.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DENNIS J. MOSS  
Administrative Law Judge