

BOEHM, KURTZ & LOWRY

ATTORNEYS AT LAW
36 EAST SEVENTH STREET
SUITE 1510
CINCINNATI, OHIO 45202
TELEPHONE (513) 421-2255
TELECOPIER (513) 421-2764

VIA ELECTRONIC MAIL - records@utc.wa.gov
AND OVERNIGHT MAIL

April 26, 2013

Mr. David E. Danner
Executive Director and Commission Secretary
Washington Utilities and Transportation Commission,
P.O. Box 47250
1300 S. Evergreen Park Drive, S.W.
Olympia, Washington 98504-7250

Re: Docket No. UE-130137/UG-130138

Dear Mr. Danner:

Enclosed please find The Kroger Co. on behalf of the Fred Meyer Stores and Quality Food Centers' executed Exhibit A (Attorney Agreement) and Exhibit B (Expert Agreement) concerning confidential information of the following: Kurt Boehm, Esq., Kevin Higgins, Neal Townsend, Courtney Higgins and Oliwia Smith for filing in the above-referenced matter. Please note that we also filed the above via electronic mail on same date.

By copy of this letter, all parties listed on the Certificate of Service have been electronically served. Please place this document of file.

Very Truly Yours,



Kurt J. Boehm, Esq.
Jody Kyler Cohn, Esq.
BOEHM, KURTZ & LOWRY

MLKkew
Enclosures
cc: Certificate of Service

EXHIBIT A (ATTORNEY AGREEMENT)

**AGREEMENT CONCERNING CONFIDENTIAL INFORMATION
IN DOCKETS UE-130137 AND UG-130138
BEFORE THE
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

I, Kurt Boehm, as attorney in
this proceeding for Kaiser Co (party
to this proceeding) agree to comply with and be bound by the Protective Order
entered by the Washington Utilities and Transportation Commission in Dockets UE-
130137 and UG-130138, and acknowledge that I have reviewed the Protective Order
and fully understand its terms and conditions.

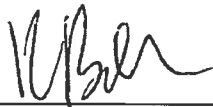
 4-18-13
Signature Date
36 E. 7th St. Suite 1510 Cin, OH 45202
Address

EXHIBIT B (EXPERT AGREEMENT)

AGREEMENT CONCERNING CONFIDENTIAL INFORMATION
IN DOCKETS UE-130137 AND UG-130138
BEFORE THE
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

I, Courtney Higgins, as expert witness in this proceeding for The Kroger Co. (a party to this proceeding) hereby agree to comply with and be bound by the Protective Order entered by the Washington Utilities and Transportation Commission in Dockets UE-130137 and UG-130138 and acknowledge that I have reviewed the Protective Order and fully understand its terms and conditions.

Cathy Higgins
Signature

4/18/13
Date

Energy Strategies
Employer

215 S. State St., Ste. 200
Salt Lake City UT 84111
Address

Analyst
Position and Responsibilities

* * *

The following portion is to be completed by the responding party and filed with the Commission within 10 days of receipt; failure to do so will constitute a waiver and the above-named person will be deemed an expert having access to Confidential Information under the terms and conditions of the protective order.

No objection.

 Objection. The responding party objects to the above-named expert having access to Confidential Information. The objecting party shall file a motion setting forth the basis for objection and asking exclusion of the expert from access to Confidential Information.

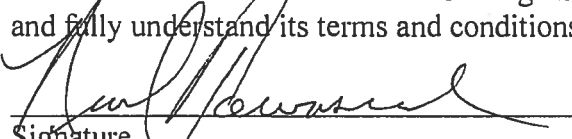
Signature

Date

EXHIBIT B (EXPERT AGREEMENT)

AGREEMENT CONCERNING CONFIDENTIAL INFORMATION
IN DOCKETS UE-130137 AND UG-130138
BEFORE THE
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

I, NEAL TOWNSEND, as expert witness in this proceeding for THE KROGER Co. (a party to this proceeding) hereby agree to comply with and be bound by the Protective Order entered by the Washington Utilities and Transportation Commission in Dockets UE-130137 and UG-130138 and acknowledge that I have reviewed the Protective Order and fully understand its terms and conditions.


Signature

APRIL 18, 2013
Date

ENERGY STRATEGIES, LLC
Employer
215 S. STATE STREET, STE 200
SALT LAKE CITY, UT 84111
Address

DIRECTOR
Position and Responsibilities

The following portion is to be completed by the responding party and filed with the Commission within 10 days of receipt; failure to do so will constitute a waiver and the above-named person will be deemed an expert having access to Confidential Information under the terms and conditions of the protective order.

No objection.

_____ Objection. The responding party objects to the above-named expert having access to Confidential Information. The objecting party shall file a motion setting forth the basis for objection and asking exclusion of the expert from access to Confidential Information.

Signature

Date

EXHIBIT B (EXPERT AGREEMENT)

AGREEMENT CONCERNING CONFIDENTIAL INFORMATION
IN DOCKETS UE-130137 AND UG-130138
BEFORE THE
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

I, KEVIN HIGGINS, as expert witness in this proceeding for THE KROGER CO. (a party to this proceeding) hereby agree to comply with and be bound by the Protective Order entered by the Washington Utilities and Transportation Commission in Dockets UE-130137 and UG-130138 and acknowledge that I have reviewed the Protective Order and fully understand its terms and conditions.


Signature

4.18.13
Date

ENERGY STRATEGIES
Employer

215 S. State St., Suite 200
SLC, UT 84111
Address

PRINCIPAL
Position and Responsibilities

The following portion is to be completed by the responding party and filed with the Commission within 10 days of receipt; failure to do so will constitute a waiver and the above-named person will be deemed an expert having access to Confidential Information under the terms and conditions of the protective order.

No objection.

Objection. The responding party objects to the above-named expert having access to Confidential Information. The objecting party shall file a motion setting forth the basis for objection and asking exclusion of the expert from access to Confidential Information.

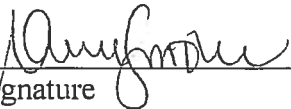
Signature

Date

EXHIBIT B (EXPERT AGREEMENT)

AGREEMENT CONCERNING CONFIDENTIAL INFORMATION
IN DOCKETS UE-130137 AND UG-130138
BEFORE THE
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

I, OLIVIA SMITH, as expert witness in this proceeding for THE KROGER CO. (a party to this proceeding) hereby agree to comply with and be bound by the Protective Order entered by the Washington Utilities and Transportation Commission in Dockets UE-130137 and UG-130138 and acknowledge that I have reviewed the Protective Order and fully understand its terms and conditions.


Signature

4/19/2013
Date

ENERGY STRATEGIES, LLC
Employer

215 SO STATE STREET
SALT LAKE CITY UT 84111
Address

CONSULTANT
Position and Responsibilities

* * *

The following portion is to be completed by the responding party and filed with the Commission within 10 days of receipt; failure to do so will constitute a waiver and the above-named person will be deemed an expert having access to Confidential Information under the terms and conditions of the protective order.

_____ No objection.

_____ Objection. The responding party objects to the above-named expert having access to Confidential Information. The objecting party shall file a motion setting forth the basis for objection and asking exclusion of the expert from access to Confidential Information.

Signature

Date