

**BEFORE THE
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION,

Complainant,

Docket UE-220066

Docket UE-220067

v.

PUGET SOUND ENERGY,

Respondent

**OPPOSITION TO PUGET SOUND ENERGY'S MOTION TO STRIKE PORTIONS OF
CENSE'S POST-HEARING BRIEF**

by

**COALITION OF EASTSIDE NEIGHBORHOODS FOR SENSIBLE ENERGY
(CENSE)**

NOVEMBER 13, 2022

I. INTRODUCTION

1. On November 8, 2022 Puget Sound Energy (PSE) submitted a motion to strike portions of the CENSE Post Hearing Brief which CENSE submitted on October 31, 2022.

Specifically, PSE requests the Commission strike: paragraph 2 on page 1, paragraph 3 on pages 1-2, paragraph 7 on page 3, paragraph 18 on page 6, paragraph 22 on page 8, and paragraph 29 on pages 10-11. PSE has chosen not to strike any of the paragraphs 34 through 37 in the CENSE Prudence Recommendation. The paragraphs that PSE wants to strike do not affect the CENSE Prudence Recommendation. Below CENSE disputes the PSE rationale for striking any of the paragraphs that PSE has identified. But even if the Commission finds a reason to strike any or all of the paragraphs that PSE wants to have stricken from the CENSE Post Hearing Brief, the CENSE Prudence recommendation remains unchallenged and the WUTC should pick one of the dates in paragraph 36 of the CENSE Post Hearing Brief as when PSE should have known not to continue spending money on Energize Eastside.

II. PSE's reasons for striking any of the 6 paragraphs are not legitimate as follows:

2. **A. RE: Paragraph 2 on page 1:** Mr. Lauckhart filed a series of CEII requests in 2015 and 2016 for the input and output files of the PSE/Quanta load flow runs. (See Exhibit RL-9). As the WUTC noted in its acknowledgement letter in PSE IRP Docket No. UE-160918, PSE chose not to provide that modeling data. At the Hearing in UE-220066 on Oct 3, 2022, Mr. Koch testified that Mr. Lauckhart remade his CEII request in July of 2022. (Transcript page 405, lines 13 et seq.) Mr. Koch acknowledged that PSE provided that data after some time. He neglected to indicate the data was provided to Mr. Lauckhart on Monday Sept 26 at 4:42 PM (7 days before

the hearing). There was no legitimate reason for this information to be provided this late. Mr. Lauckhart was able to examine the data and email his findings to the PSE CEII team by noon on Tuesday Sept 27 (6 days before the hearing). (CENSE Brief page 10, paragraph 29). But it was clearly too late for that email to be placed in the record. It appears that PSE intentionally delayed its reply to Mr. Lauckhart's CEII requests until it was too late to get the results of Mr. Lauckhart's examination on the record. But the fact remains, the email describing the results of Mr. Lauckhart's examination was sent to PSE on Sept 27, 2022. That Mr. Koch was not told of the email or was otherwise not interested in what Mr. Lauckhart found indicates he was not interested in an accurate assessment of the need for Energize Eastside. The subject email is available and CENSE is prepared to provide it to the Commission if they request to see it.

3. **B. RE: Paragraph 3 on pages 1-3:** CENSE asserts that PSE had a conflict of interest in paying for the Newcastle Synapse report and “had Synapse edit that report”. PSE claims there is no evidence on the record to support that despite the references to comparing Newcastle Synapse Draft report Exh RL-19 to Synapse final report Exh RL-32. There are a large number of changes between these two reports such as the language in Exh RL-19 starting on Page 38 that discusses non-wires alternatives. The Draft report states as follows:

“The best time to begin implementation of summer demand-side measures would have been many years ago—potentially as early as 2008 when the region’s transmission challenges were identified. However, PSE hasn’t

missed the best remaining opportunity to implement such programs. That time is now.”

No similar language appears in the final report Exh RL-32. That language was removed after PSE saw the first report. There is no legitimate reason for this language to have been removed other than PSE did not want that language in the report.

4. **C. RE: Paragraph 7 on pages 3:** CENSE asserts that Energize Eastside is a project “being pursued for the economic benefit of PSE and its foreign owners.” PSE claims there is no basis for this assertion. But Attachment 7 to Mr. Lauckhart’s testimony RL-1T, starting at page 31 to his testimony, provides the basis for this assertion.
5. **D. RE: Paragraph 18 on page 6:** CENSE asserts that PSE did not conduct a stakeholder process and violated TPL-001. PSE claims there is no basis for this assertion. But at lines 1-5 of page 12 of Mr. Lauckhart’s testimony (RL-1T) Mr. Lauckhart points out that exact fact. PSE never took issue with that testimony until after CENSE filed its Brief including that testimony in its Post Hearing Brief.
6. **E. RE: Paragraph 22 on page 8:** CENSE asserts that there is a risk of explosion when co-locating the transmission line along a fuel pipeline. PSE claims the EIS proceeding reviewed the project and that PSE is actively working with Olympic Pipeline. PSE claims that as a result CENSE’s assertion is unsupported conjecture without any evidence. But at page 20 of Mr. Lauckhart’s testimony (RL-1T) Mr. Lauckhart provides evidence about the risk of collocating transmission lines with fuel pipelines. PSE never took issue with that testimony until after CENSE filed its Brief including the safety issue matter in its Post Hearing Brief.

7. **F. RE: Paragraph 29 on pages 10-11:** PSE claims this information should be stricken as irrelevant and not based on evidence in the record. Paragraph 2 above (i.e., RE: Paragraph 2 on page 1) responds to the PSE “lack of evidence” argument. The PSE argument that the “threshold need for Energize Eastside has been exceeded in four of the past five summers” has been refuted by CENSE in Lauckhart testimony RL-1T, Attachment 6, starting at page 30, line 10. PSE never took issue with that testimony until after CENSE filed its Brief including the King County threshold exceedance matter in its Post Hearing Brief.
8. For the above reasons, the PSE motion to strike should be denied in its entirety.

DATED this 13th day of November, 2022.

NORM HANSEN

/s/ Norm Hansen

Representative for CENSE