

**From:** Howard, Michael (UTC)

**Sent:** Wednesday, November 9, 2022 11:51 AM

**To:** boxofmoonlight@live.com

**Subject:** RE: UE-220066/ Notice of Potential Ex Parte Communication/ Due Nov. 17, 2022/ WUTC STAFF'S DISHONESTY

Ms. Kisska,

I am the administrative law judge assigned to the Puget Sound Energy rate case. Although the Commissioners make the final decision, I am assisting them and handle the administration of the case.

As you may be aware, the Commission issued a “notice of potential ex parte contact” after you emailed the Commissioners on October 28, 2022. This notice observed, in part, “Individuals following this proceeding are also reminded that ex parte communications are considered improper and a violation of the Washington Administrative Procedure Act. Furthermore, unless the Commission orders otherwise, the record in this proceeding closed on October 4, 2022, with the conclusion of the evidentiary hearing.”

I am concerned that you have sought to email the Commissioners again despite our earlier Notice. As one of the presiding officials on this case, I cannot permit ex parte contacts because they undermine the integrity of the process and violate the Administrative Procedure Act. Furthermore, the record in this proceeding is closed unless the Commission orders otherwise. The time period for public comments has also closed. I am emailing you now to make clear that these emails to the Commissioners represent improper ex parte communications and cannot be considered.

If you wish to participate in future Commission proceedings, there are many other opportunities and methods of doing so. I would encourage you to reach out to Public Counsel or follow notices on our website. But the record in this case is closed.

Please refrain from responding to this email. My email today should conclude our interaction. An additional response from you at this point would represent a third attempt at improper, ex parte communication.

Thank you for your careful attention to this email,

**Michael Howard**

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Administrative Law Judge

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**From:** Cindy Kisska <[boxofmoonlight@live.com](mailto:boxofmoonlight@live.com)>

**Sent:** Wednesday, November 9, 2022 5:45 AM

**To:** UTC DL Commissioners <[Commissioners@utc.wa.gov](mailto:Commissioners@utc.wa.gov)>

**Subject:** UE-220066/ Notice of Potential Ex Parte Communication/ Due Nov. 17, 2022/ WUTC STAFF'S DISHONESTY

External Email

Dear UTC Commissioners, I just sent you a copy of this email, as you can see at 5:15 AM today, but I feel I mislabeled it, because I didn't include the "Notice of Potential Ex Parte Communication" for it to still be accepted by Nov. 17, 2022. I hope this is correct. Thank you. Cindy Kisska

**From:** [Cindy Kisska](mailto:Cindy Kisska)

**Sent:** Wednesday, November 9, 2022 5:15 AM

**To:** [commissioners@utc.wa.gov](mailto:commissioners@utc.wa.gov)

**Subject:** PSE/ Docket UE-220066/ Raising our rates every year/ WUTC STAFF'S DISHONESTY

Dear UTC Commissioners, I am highly concerned with the UTC Staff's DISHONESTY concerning going along with PSE's constant lying about their finances, while THE UTC STAFF STILL, YEAR AFTER YEAR, AFTER YEAR, RECOMMENDS TO THE UTC COMMISSIONERS TO RAISE OUR RATES.

PSE lies, they cheat, they present false statements about their finances left and right. AND YET, I read online, "UTC STAFF ANNOUNCES two settlements on PSE rate request. Parties to Revenue Requirement Settlement are: UTC Staff, PSE, Alliance of Western Energy Consumers, Federal Exec. Agencies, Walmart, Inc., The Energy Project, Kroger Co., Northwest Energy Coalition, Sierra Club, Front and Centered, Microsoft, Nucor Steel Seattle, Inc." And I also read: "The Puyallup Tribe of Indians and the Public Council Unit of the Attorney General's Office oppose this settlement agreement" (having to do with the Tacoma LNG plant settlement).

**HOW IS IT POSSIBLE THAT THE UTC STAFF WENT AHEAD AND ANNOUNCED TWO SETTLEMENTS ON PSE RATE REQUEST?? The UTC Staff are complicit in accepting PSE's LIES AND FALSE FINANCIAL INFORMATION. HOW DISHONEST CAN THE UTC STAFF BE, YEAR AFTER YEAR, AFTER YEAR?! HOW IS IT THAT THE UTC COMMISSIONERS ARE SO-O UNAWARE OF HOW DISHONEST THE UTC STAFF ARE??!**

I've also been reading online about the response testament (July 28, 2022) of Robert L. Earle on Behalf of WA STATE OFFICE OF ATTORNEY GENERAL, Public Counsel Unit: WUTC/ Complainant v. Puget Sound Energy/ Respondent. Docket UE-220066, UG-220067, and UG-21018 (Consolidated). He states, "My testimony considers the fairness of power costs paid for by rate payers as a key factor. Higher rates disproportionately impact poorer communities." In certain instances, he says that PSE didn't take issues of equity into account in their decisions." **WHAT HAPPENS TO PSE WHEN THEY MAKE THE WRONG DECISIONS....ON PURPOSE!!**

And also on July 28, 2022, WUTC/ Complainant v. Puget Sound Energy, Andrea C. Crane on behalf of WA STATE OAG, Public Council Unit, Andrea was requested to review the MYRP application filed by PSE requesting revenue increases and Performance Based-Regulatory Plan. "PSE proposes 2 PIMs, which would provide the Company with incentive awards if it meets certain targets." PSE asking for \$330.013 million in 2023, \$62.666 million in 2024, and \$10.156 million in 2025.

Andrea says, "Power costs account for \$177.6 million or approx. 54% of the Company's requested 2023 base revenue increase of \$330.0 million. Years 2 and 3 are driven primarily by projected plant additions." And she says, "**OVER THE PERIOD OF MYRP, ELECTRIC RATEPAYERS WOULD PAY AN ADDITIONAL \$1.125 BILLION** into electric utility base rates." !!! **PSE IS MONEY HUNGRY!**

She also says, "Because of the nature of the MYRP, the overall modeling is *much more complex* than would be found in an ordinary rate case. There are approx. *140 separate workpapers* that *support the revenue requirements in some manner*, most of which are linked in the *Company's system*. *Since the workpapers are not linked in my system, I am unable to accurately quantify the impact of my revenue requirement adjustments.*" **SO HOW CAN ANY CORRECT DECISION BE MADE?!**

Andrea also talks about the difficulties with PSE using a MYRP: **hard to determine the appropriate rate base; difficult reviewing certain operating expenses** – "in many cases, the restating and pro forma adjustments made to the test year **were then replaced with the Company's budget data for 2023, 2024, 2025, as well as the Gap Year.** This means that the impact of certain pro forma adjustments – such as **incentives, wage increases, insurance and others are essentially overridden by the budget data used in 2023 to 2025.**"

**\*\*\*How can ANYONE TRUST PSE to tell the TRUTH?? How can anyone wade through the avalanche of financial information PSE gives the UTC that is so complicated and convoluted. And PSE likes it that way. Where does the truth.... LIE? PSE unabashedly lies. It tries to make more money, and MORE money, anyway it can, and it doesn't care HOW it goes about it.**

Case in point...Andrea talked about how PSE was asking to recover both direct costs and "forgone revenues" for electric, and I quote: "PSE is seeking total deferred costs of \$1,606,203 or \$803,115 annually for the first 2 years of the MYRP and seeking deferred costs for gas \$499,777 or \$249 annually for gas utility." BUT Andrea points out that "**PSE ACTUALLY SAVED MONEY** during the Covid-19 pandemic – **their savings were greater than the direct costs claimed by PSE.**" (HOW THEY LIE!) "The 'foregone revenues' refers to 'late payment fees and disconnection fees.' It is not reasonable to require ratepayers, many of whom suffered financially during the past 2 years, despite disconnection moratorium, to absolve the Company of any burden of these costs. (non-reoccurring costs) **and PSE shareholders should bear some of the burden** for extraordinary costs incurred during the pandemic. Moreover, PSE was not conducting disconnections during the moratorium and so no disconnection fees could be lawfully levied. PSE is not entitled to revenues from disconnection or late fees that would have been unlawful to impose. In addition, given the Company's overall revenues, these deferred costs are not only non-reoccurring, but also immaterial to the Company's financial integrity."

**PSE doesn't even care if they are breaking the law with all their lies. AND THE UTC STAFF DOESN'T CARE EITHER HOW MUCH PSE LIES....THE STAFF ALWAYS GOES ALONG WITH PSE TO RECOMMEND TO THE COMMISSIONERS TO ACCEPT PSE RATE INCREASE. PSE AND THE UTC STAFF NEED TO BOTH BE HELD ACCOUNTABLE FOR THEIR DISHONESTY.**

Cindy Kisska Address: 8371 Shoreline Court, Birch Bay, WA 98230-9312 Phone: (360) 371-2532 Email: [boxofmoonlight@live.com](mailto:boxofmoonlight@live.com) Thank you.