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**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of,

PUGET SOUND ENERGY, INC.

No. UE-061626

For a Declaratory Order on Schedule 74
and the Schedule 74 Design Agreement
between Puget Sound Energy, Inc. and the
City of Tumwater.,

**DECLARATION OF BARRY LOMBARD
IN SUPPORT OF PUGET SOUND
ENERGY, INC.'S MOTION FOR
SUMMARY DECLARATION**

1. I, Barry Lombard, hereby declare under penalty of perjury under the laws of the State of Washington that the following are true and correct:
2. I am Project Manager of large projects for Puget Sound Energy, Inc. ("PSE"). My work address is 355 110th Avenue NE, Bellevue, WA 98004. My phone number is (425) 456-2230.
3. I graduated from Western Washington University in 1981 with a Bachelor of Science degree in Environmental Studies. I earned an MBA from Seattle University in 1988. Additionally, I am a certified planner through the American Institute of Certified Planners. I attended University of Idaho's Public Utility Executive Course in utility management. I joined PSE in 1981 as an intern in its Environmental Services Department. I then worked as a consultant and joined PSE permanently in 1985 as a Senior Environmental Scientist. In 1999, I went to work for ThermoRetch, where I worked briefly (10 months) for a consulting firm before returning to PSE as Municipal Land Planner in its municipal land planning department.
4. My duties as Municipal Land Planner included negotiation of franchise and relocation agreements, commenting on rulemaking and informing PSE of relevant land use impacts. I also supported the permitting department as needed. My title changed to Municipal Liaison Manager ("MLM") in 2003. The MLM is PSE's contact with a government agency when an agency requests a construction project. The MLM is responsible for facilitating conversions, relocations and franchise

**DECLARATION OF BARRY LOMBARD IN
SUPPORT OF MOTION FOR SUMMARY
DECLARATION - 1
07772-0220/LEGAL13039567.1
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07772-0220/LEGAL13049488.1**

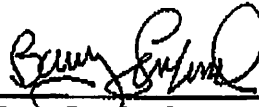
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agreements. Generally, this contact is with city representatives in the public works departments.

- 5. I am familiar with Schedule 74 and its predecessor Schedule 71. Schedule 74 arose in connection with PSE's 2001 General Rate Case ("GRC") when a number of cities within PSE's service area intervened to complain about having to pay the cost of underground conversion and their perception that there was an uneven application of the rules. The end result of their intervention was a compromise on the cost of underground conversion as reflected in Schedule 74.
- 6. Jay Eaton, the Director of Public Works for the City of Tumwater (the "City"), was PSE's primary public works contact with the City on the Tumwater Boulevard Widening Project (the "Project"). James Shoopman, the City's Design/Construction Manager, was also a main contact with the City regarding the Project and other public improvement projects. PSE and the City began discussions regarding the Project at a meeting on January 8, 2002. At that time, the Project was called Aindustrial Way Widening Project. Attached to Exhibit 1 is a true and correct copy of Schedule 74 and Attachment A to Schedule 74, PSE's Project Design Agreement, both of which were provided to the City with Exhibit 1.
- 7. Attached as Exhibit 2 is a true and correct copy of a January 13, 2003 letter from the City to PSE regarding the Project. After the City requested that PSE enter into a contract to convert PSE's overhead system to underground, PSE conducted a rights review. PSE conducts rights reviews to determine the scope of PSE's rights to place its facilities in a public right of way or on private property. PSE's rights review determined that PSE maintained a preexisting easement over the entire Project area.
- 8. Attached as Exhibit 3 is a true and correct copy of a facsimile transmission to the City of Tumwater attaching the PSE easement covering the Tumwater Boulevard widening project area.

EXECUTED at Tacoma, Washington this 22 day of February, 2007.



 Barry Lombard

DECLARATION OF BARRY LOMBARD IN
 SUPPORT OF PSE'S MOTION FOR
 SUMMARY DETERMINATION 2
 07772-0220/LEGAL13039567.1
 2/21/07
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