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March 30, 2000

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STATE OF WASH
UTIL. AND TRANSP.
COMMISSION

Dennis Moss
Administrative Law Judge
Washington Utilities and Transportation Commission
1300 S Evergreen Park Drive SW
Olympia, WA 98504

Re: WUTC v. PacifiCorp
Docket No. UE-991832

Dear Judge Moss:

In its Prehearing Conference Order dated January 26, 2000, the Commission required the parties to predistribute their cross-examination exhibits on April 18, 2000 for the hearings scheduled to commence on April 24, 2000. I am writing to request that the predistribution date be postponed until noon on April 21, 2000. The parties would file with the Commission at that time the exhibits they propose to offer during cross-examination the following week. The exhibits would be segregated by witness and three-hole punched. The parties would also fax to each other a list of their exhibits that include responses to data requests or other documents provided by the Company. Any exhibits that include materials not provided by the Company would be faxed in their entirety.

I understand that the predistribution requirement is designed to allow the Commission to conduct the hearing in as smooth and efficient a manner as possible, and to allow the Administrative Law Judge and the Commissioners the opportunity to review proposed exhibits in advance of the hearing. However, the current April 18th deadline is overly burdensome for Staff, and presumably other parties, because a substantial amount of cross-examination preparation occurs during the week preceding the hearings. This occurs not because of any delay by Staff in its preparation for cross-examination, but because of the number and complexity of issues, and the need to complete and analyze extensive discovery. This burden is exacerbated here because a number of Staff analysts assigned to this case are also assigned to the current Avista rate case,

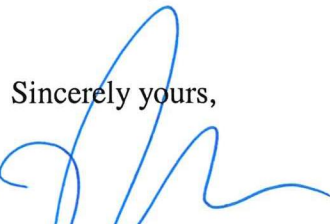


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which is now in hearing. Those analysts are scheduled to predistribute their testimony the week after hearings for PacifiCorp. Public Counsel and other intervenors may be similarly “double-booked.”

Moreover, a predistribution date of April 21, 2000 would still allow the Commission to attain its goal of efficiency at hearing and would not prejudice the Company. Finally, while we cannot guarantee that additional exhibits not predistributed on April 21st would not be offered at hearing, a delay for predistribution to that date should reduce the occurrence of “last-minute” exhibits, which would add to the efficiency of the process. It would also discourage parties from offering more exhibits than necessary in order to guard against having exhibits excluded which are not predistributed.

Thank you for your consideration of this request. While my letter would have been more timely as an objection to the Prehearing Conference Order, I hope that the Commission would still look favorably on this matter.

Sincerely yours,


ROBERT D. CEDARBAUM
Senior Counsel

RDC:pah
cc: Parties of Record

CERTIFICATE OF SERVICE
UE-991832

I certify this day copies of the foregoing letter dated March 30, 2000 directed to Dennis

Moss, ALJ, WUTC, were sent via facsimile and US Mail to the parties listed below.

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DATED at Olympia, Washington, this 30th day of March, 2000.



PATRICIA A. HAISMAN