

[Service Date October 6, 2011]

October 6, 2011

**NOTICE OF COMMISSION INTENTION TO ENTER DECLARATORY ORDER
WITHIN NINETY DAYS AFTER SEPTEMBER 14, 2011**

**NOTICE PROVIDING AN OPPORTUNITY TO SUBMIT ADDITIONAL
STATEMENTS OF FACT AND LAW
(Due by Thursday, October 20, 2011)**

RE: *In the Matter of the Petition of Puget Sound Energy, Inc. For a Declaratory Order on the Extra Credits for Apprentice Labor Provision of RCW 19.285.040(2)(h), Docket U-111663*

TO ALL PARTIES AND INTERESTED PERSONS:

On September 14, 2011, Puget Sound Energy, Inc. (PSE) filed with the Washington Utilities and Transportation Commission (Commission) a Petition for a Declaratory Order (Petition) interpreting RCW 19.285.040(2)(h), the provision of Washington's Energy Independence Act, Chapter 19.285 RCW providing extra credits for use of apprentice labor. A copy of the Petition is posted on the Commission's web site at www.utc.wa.gov/111663.

The Commission gave notice and called for submissions of statements of fact and law by September 28, 2011. The Commission received responses from a number of interested persons. Some of these neither support nor oppose PSE's petition. Others agree with PSE's interpretation in a narrow sense, but wish the Commission to make perfectly clear the breadth of its determination vis-à-vis other provisions in the Energy Independence Act (Act). Renewable Northwest Project and NW Energy Coalition, in joint response, ask that the Commission accept PSE's interpretation in a narrow sense, but only on the condition that it simultaneously foreclose other possible interpretations that would allow a utility to take certain actions with respect to the apprentice labor extra credit provisions of the Act.

The Commission wishes to give PSE in particular, and other parties if they wish, a further opportunity to comment. It would be useful to the Commission to hear whether it would be legally appropriate and, if so, advisable from a legal and policy perspective, to grant PSE's petition while foreclosing future consideration of additional interpretation of the

Act to allow or not allow certain treatment of extra credits associated with apprentice labor.

The Commission gives notice that it will accept additional comments responsive to those filed thus far by Thursday, October 20, 2011.

The Commission gives further notice that it intends to enter a declaratory order in this proceeding within 90 days after the date PSE filed its petition, as provided by WAC 480-07-930(5)(d). This will allow sufficient time for the receipt of additional comments from PSE and, if they wish, others who have an interest in this proceeding.

Sincerely,

DENNIS J. MOSS
Administrative Law Judge