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BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CITY OF KENT,  
  
Petitioner,  
  
v.  
PUGET SOUND ENERGY, INC.,  
  
Respondent.

DOCKET NO. UE-010778  
(Consolidated)

.....  
CITY OF AUBURN, CITY OF  
BREMERTON, CITY OF DES MOINES,  
CITY OF FEDERAL WAY, CITY OF  
LAKEWOOD, CITY OF REDMOND, CITY  
OF RENTON, CITY OF SEATAC, AND  
CITY OF TUKWILA,  
  
Petitioners/Complainants,

DOCKET NO. UE-010911  
(Consolidated)

v.  
PUGET SOUND ENERGY, INC.,  
  
Respondent.

COMPREHENSIVE ISSUES LIST

The City of Auburn, City of Bremerton, City of Des Moines, City of Federal Way, City of  
Lakewood, City of Redmond, City of Renton, City of SeaTac, and City of Tukwila, and the City of  
Kent, (“Cities”), Puget Sound Energy (“PSE”), and the Commission Staff hereby submit the

1 following Statement of Issues. The Parties are unable to agree on the formulation of issues. The  
2 Parties reserve the right to object to the issues stated by other Parties. The following statement,  
3 therefore, presents alternative forms of each issue identified by the name of the Party proposing each  
4 statement:

5 **Issue # 1 – Scope of Schedule 71 And Easements**  
6

7 When Section 2 criteria are met and the City requests undergrounding, is undergrounding mandatory  
8 under Schedule 71 even if PSE has to pay fair easement value to obtain an easement it may desire?  
9 **(KENT)**

10 Whether Schedule 71 obligates PSE to convert overhead facilities to underground when  
11 requested to do so by a city if the criteria of Section 2 are met? **(CITIES)**

12 Whether PSE is obligated to convert its facilities from overhead to underground under  
13 Schedule 71 if operating rights required under Section 4 are not provided to PSE? **(PSE)**

14 Does Section 2 set forth the only conditions for a Schedule 71 conversion to be undertaken?  
15 **(PSE)**

16 Whether Schedule 71 obligates Cities to pay for exclusive, private easements for PSE's  
17 underground and related pad-mounted facilities? **(CITIES)**

18 Whether the term "owners of real property" in Section 4 of Schedule 71 includes municipalities  
19 requesting conversion of facilities located on public rights-of-way? **(CITIES)**

20 Does Schedule 71 of Electric Tariff G require PSE to absorb its staff, engineering, survey, legal, and  
21 other costs incurred in connection with its acquisition of private easements? Does it make any  
22 difference whether PSE pays the grantor for the easement or the grantor conveys it free of charge?  
23 **(KENT)**

24 Whether the obligation to pay the costs of obtaining the operating rights required under Section 4  
25 of Schedule 71 lies with PSE or the city-customer if the owner of the property on which the  
26 facilities are to be located refuses to provide operating rights at the property owner's expense?  
**(PSE)**

1 **Issue # 2 – Contract Issues**

2 Whether PSE may use a contract contemplated by Section 3 of Schedule 71 to require Cities to  
3 take actions or pay costs that Schedule 71 does not otherwise obligate Cities to do or pay?  
(CITIES)

4 Whether PSE’s requirement that underground facilities (other than cable and conduit) and pad-  
5 mounted facilities, such as vaults for junctions, vaults for pulling cable, transformers and  
6 associated vaults, and switches and associated vaults, be placed on private property within  
7 easements that are in the Company’s standard form is consistent with PSE’s Tariff Schedule 71?  
(PSE)

8 Whether the sections of PSE’s Underground Conversion Agreement and Engineering Agreement  
9 which provide that PSE may voluntarily agree to obtain operating rights for a conversion, on the  
10 condition that the municipality reimburse PSE for its costs to obtain such operating rights, are  
consistent with Schedule 71? (PSE)

11 **Issue # 3 – 70% vs. 30%**

12 Whether Schedule 71 requires cities to pay 70% of the total cost of converting PSE’s overhead  
13 system to underground if the overhead facilities would not otherwise have required lateral  
relocation? (CITIES)

14 Whether, if Schedule 71 is held to be applicable to the City of SeaTac conversion along South  
15 170<sup>th</sup> Street between 37<sup>th</sup> Avenue South and Military Road South (the “SeaTac Conversion  
16 Area”) in Docket No. UE-010891, SeaTac must pay 30% or 70% of the costs of the conversion  
under Schedule 71? (PSE)

17 A subissue for this issue is whether the overhead system in the SeaTac Conversion Area is  
18 “required to be relocated due to addition of one full lane or more” under the definition in  
Schedule 71, Section 3(b)(1)? (PSE)

19 **Issue # 4 – Applicability of Schedule 71 to Facilities Located on Private Property**

20 Whether Sch. 71 requires PSE to convert aerial facilities to underground when requested by a  
21 municipality where PSE’s existing facilities are located on private property adjacent to and along  
22 the rights-of-way? (CITIES)

23 Whether Schedule 71 is applicable to existing overhead facilities that are currently located on  
24 private property and not in city rights-of-way? (PSE)

25 **Issue # 5 – Future Relocation**

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Does Schedule 71 require the City to include in the underground conversion agreement for the Pacific Highway Project a promise to pay for future hypothetical relocations of electric facilities that are unrelated to the current Project? **(KENT)**

Whether PSE is obligated under Schedule 71 to place facilities in rights-of-way that it otherwise would have placed on private property in the absence of a municipality's agreement to pay 100% of the costs to relocate such facilities in the future? **(PSE)**

Whether Section 1.e. of PSE's Underground Conversion Agreement is consistent with Schedule 71? **(PSE)**

**Issue # 6 – Cost Documentation**

Whether Schedule 71 requires PSE to provide a City with documentation of its costs in converting aerial facilities to underground so that the City can ensure that the costs are limited to the just and reasonable “costs of the conversion project.” **(CITIES)**

DATED this 1<sup>st</sup> day of August, 2001.

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Cities of Auburn, Bremerton, Des Moines, Federal Way, Lakewood, Redmond, Renton, SeaTac, and Tukwila

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By \_\_\_\_\_  
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City of Kent

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the COMPREHENSIVE ISSUES LIST, filed by all parties, upon all parties of record in this proceeding, via facsimile, followed by U.S. mail, as follows:

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Dennis J. Moss, Administrative Law Judge  
Washington Utilities and Transportation Commission  
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DATED at Seattle, Washington, this 1st day of August, 2001.

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Jo Ann Sunderlage  
Secretary to Carol S. Arnold