

DOCKET NO. A-050802

STAFF RESPONSE TO PROPOSED WAC 480-07-510(3) REGARDING
WORKPAPER FILING REQUIREMENTS

On April 4, 2006, the Commission proposed to amend WAC 480-07-510(3) to require all parties in a general rate proceeding to file detailed work papers and supporting electronic files with each round of testimony. The current rule imposes a work paper requirement only on the company when it files its direct testimony and exhibits.

Staff advises the Commission to limit the proposed work paper requirements to the company at the time the company files its direct case. Staff does not oppose a requirement in subsequent rounds of testimony that all parties exchange electronic work papers supporting their exhibits within 5 days or a different time period set in the prehearing conference order.

Limiting the proposed work paper requirements to a company's direct case is consistent with burden of proof standards. It also recognizes that a company's initial filing is the focus of discovery. Staff's experience is that the efficiency and effectiveness of the review process improves as the detail and organization of a company's initial work papers improve.

It is also fair to limit the work paper requirements to when a company files its direct case since the timing of that initial filing is totally within the company's control. In contrast, time constraints imposed by the statutory suspension period and other resource pressures make the contemporaneous filing of work papers by Staff and other parties extremely burdensome.

The testimony of Staff and other parties also does not start from scratch. Much, if not all, of the underlying data and computer modeling comes from the company itself. Thus, it is not necessary to require Staff and other parties to file work papers with the level of detail proposed by the Commission.

In sum, the efficient processing of a general rate proceeding requires that work papers be filed only with a company's direct case with the detail and support proposed by the Commission. Extending these same requirements to every other party in a general rate case is unnecessary and burdensome. Staff does not oppose the exchange of electronic work papers among all parties after the filing of each subsequent round of testimony. Such a process would expedite the exchange of information in an efficient manner, as intended by the proposed amendment, but would not interfere with a party's final preparation of its testimony and exhibits.¹

¹ This delayed exchange of work papers among the parties is consistent with comments filed by Puget Sound Energy, Inc. See Third Set of Comments of Puget Sound Energy, Inc. at ¶¶ 16-17 (May 1, 2006).

