

# Rob McKenna ATTORNEY GENERAL OF WASHINGTON

800 Fifth Avenue #2000 • Seattle WA 98104-3188

June 27, 2011

### VIA ELECTRONIC FILING & ABC LMI

David Danner
Executive Director and Secretary
Washington Utilities & Transportation Commission
1300 S. Evergreen Pk. Dr. S.W.
P. O. Box 47250
Olympia, WA 98504-7250

Re:

WUTC v. PSE

Docket Nos. UE-111048 and UG-111049

Dear Mr. Danner:

Enclosed please find the originals and ten (10) copies each of signature pages to Protective Order No. 01 Exhibit A (Attorney Agreement) of Sarah Shifley and Simon ffitch for filing in the above entitled dockets. Also included for filing in the same dockets are copies of Exhibit B (Confidential Information Agreement) of Mary Kimball, Lea Daeschel, Carol Williams, Christian Carlson, Coral Koidahl, Glenn Watkins, Majorie Levin, Andrea Crane and Linda Borla and Exhibit C (Highly Confidential Information Agreement) of Glen Watkins, Majorie Levin and Andrea Crane.

acted 200 (800 18

Sincerely,

Simon J. ffitch

Senior Assistant Attorney General

Public Counsel (206) 389-2055

SJf:cjw

Enclosures

cc: Service List from UE-090704 (E-mail and U S Mail

# **EXHIBIT A (ATTORNEY AGREEMENT)**

# AGREEMENT CONCERNING CONFIDENTIAL INFORMATION IN DOCKETS UE-111048/UG-111049 BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

I, Simon J. ffitch, as Senior Assistant Attorney General in this proceeding for Public Counsel (party to this proceeding) agree to comply with and be bound by the Protective Order entered by the Washington Utilities and Transportation Commission in Dockets UE-111048/UG-111049, and acknowledge that I have reviewed the Protective Order and fully understand its terms and conditions.

Signature

Date

Washington State Attorney General's Office

Public Counsel

800 5th Avenue, Suite 2000

Seattle, WA 98104-3188

# EXHIBIT A (ATTORNEY AGREEMENT)

# AGREEMENT CONCERNING CONFIDENTIAL INFORMATION IN DOCKETS UE-111048/UG-111049 BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

I, Sarah A. Shifley, as Assistant Attorney General in this proceeding for Public Counsel (party to this proceeding) agree to comply with and be bound by the Protective Order entered by the Washington Utilities and Transportation Commission in Dockets UE-111048/UG-111049, and acknowledge that I have reviewed the Protective Order and fully understand its terms and conditions.

Signature

Washington State Attorney General's Office

Public Counsel

800 5<sup>th</sup> Avenue, Suite 2000

Seattle, WA 98104-3188

Signature

#### **EXHIBIT B**

# AGREEMENT CONCERNING CONFIDENTIAL INFORMATION IN DOCKETS UE-111048/UG-111049 BEFORE THE

# WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

I, Mary Kimball, as Senior Policy Analyst in this proceeding for Public Counsel (a party to this proceeding) hereby agree to comply with and be bound by the Protective Order entered by the Washington Utilities and Transportation Commission in Dockets UE-111048/UG-111049, and acknowledge that I have reviewed the Protective Order and fully understand its terms and conditions. Signature Washington State Attorney General's Office **Employer** 800 5<sup>th</sup> Avenue, Suite 2000, Seattle, WA 98104-3188 Senior Policy Analyst Position and Responsibilities Address The following portion is to be completed by the responding party and filed with the Commission within 10 days of receipt; failure to do so will constitute a waiver and the above-named person will be deemed an expert having access to Confidential Information under the terms and conditions of the Protective Order. No objection. Objection. The responding party objects to the above-named expert having access to Confidential Information. The objecting party shall file a motion setting forth the basis for objection

and asking exclusion of the expert from access to Confidential Information.

Date

## **EXHIBIT B**

# AGREEMENT CONCERNING CONFIDENTIAL INFORMATION IN DOCKETS UE-111048/UG-111049 BEFORE THE

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION	
I, Stefanie Johnson, as Policy Analyst in this proceeding for Public Counsel (a party to this proceeding) hereby agree to comply with and be bound by the Protective Order entered by the Washington Utilities and Transportation Commission in Dockets UE-111048/UG-111049, and acknowledge that I have reviewed the Protective Order and fully understand its terms and conditions.  Signature  Washington State Attorney General's Office  Employer	1
800 5 <sup>th</sup> Avenue, Suite 2000, Seattle, WA 98104-3188 Policy Analyst Address Position and Responsibilities	
* * *	
The following portion is to be completed by the responding party and filed with the Commission within 10 days of receipt; failure to do so will constitute a waiver and the above-named person will be deemed an expert having access to Confidential Information under the terms and conditions of the Protective Order.	on
No objectionObjection.	
The responding party objects to the above-named expert having access to Confidential Information. The objecting party shall file a motion setting forth the basis for objection and asking exclusion of the expert from access to Confidential Information.	n
Signature Date	- "

#### **EXHIBIT B**

# AGREEMENT CONCERNING CONFIDENTIAL INFORMATION IN DOCKETS UE-111048/UG-111049 BEFORE THE

WINDINGTON OTHER TEST TO THE	
Order entered by the Washington Utilities and TUE-111048/UG-111049, and acknowledge that I fully understand its terms and conditions.  Signature  Washington State Attorney General's Office	ransportation Commission in Dockets
Employer	
800 5 <sup>th</sup> Avenue, Suite 2000, Seattle, WA 98104-Address	-3188 Policy Analyst Position and Responsibilities
* * *	
The following portion is to be completed by the Commission within 10 days of receipt; failure to above-named person will be deemed an expert I under the terms and conditions of the Protective	o do so will constitute a waiver and the naving access to Confidential Information
No objection.	
Objection.	•
The responding party objects to the above-name	ed expert having access to Confidential
Information. The objecting party shall file a mo	
and asking exclusion of the expert from access	to Confidential Information.
Signature	Date

## **EXHIBIT B**

# AGREEMENT CONCERNING CONFIDENTIAL INFORMATION IN DOCKETS UE-111048/UG-111049 BEFORE THE

WASHINGTON UTILITIES AND TRANS	SPORTATION COMMISSION
I, Christian Carlson, as Law Clerk in party to this proceeding) hereby agree to comply we Order entered by the Washington Utilities and Trans UE-111048/UG-111049, and acknowledge that I has fully understand its terms and conditions.	reportation Commission in Dockets
Washington State Attorney General's Office Employer	
800 5 <sup>th</sup> Avenue, Suite 2000, Seattle, WA 98104-31 Address	88 Law Clerk Position and Responsibilities
* * *	
The following portion is to be completed by the recommission within 10 days of receipt; failure to days of above-named person will be deemed an expert have under the terms and conditions of the Protective O	o so will constitute a waiver and the ring access to Confidential Information
No objection Objection.	
The responding party objects to the above-named Information. The objecting party shall file a motion and asking exclusion of the expert from access to	on setting forth the basis for objection
Signature	Date

## **EXHIBIT B**

# AGREEMENT CONCERNING CONFIDENTIAL INFORMATION IN DOCKETS UE-111048/UG-111049 BEFORE THE

WASHINGTON UTILITIES AND TRAINSFORTHTON COMMISSION
I, Carol Williams, as Legal Assistant in this proceeding for Public Counsel a party to this proceeding) hereby agree to comply with and be bound by the Protective Order entered by the Washington Utilities and Transportation Commission in Dockets UE-111048/UG-111049, and acknowledge that I have reviewed the Protective Order and fully understand its terms and conditions.
Washington State Attorney General's Office Employer
Address Position and Responsibilities
* * *
The following portion is to be completed by the responding party and filed with the Commission within 10 days of receipt; failure to do so will constitute a waiver and the above-named person will be deemed an expert having access to Confidential Information under the terms and conditions of the Protective Order.
No objectionObjection.
The responding party objects to the above-named expert having access to Confidential Information. The objecting party shall file a motion setting forth the basis for objection and asking exclusion of the expert from access to Confidential Information.
Signature Date

Signature

#### **EXHIBIT B**

# AGREEMENT CONCERNING CONFIDENTIAL INFORMATION IN DOCKETS UE-111048/UG-111049 BEFORE THE

# WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

	this proceeding for Public Counsel (a	
party to this proceeding) hereby agree to comply with and be bound by the Protective		
Order entered by the Washington Utilities and Transportation Commission in Dockets		
UE-111048/UG-111049, and acknowledge that I have	ave reviewed the Protective Order and	
fully understand its terms and conditions.		
Landa Bola	6/23/11 Date	
Signature	Date	
Washington State Attorney General's Office Employer		
800 5 <sup>th</sup> Avenue, Suite 2000, Seattle, WA 98104-31	88 Legal Assistant	
Address	Position and Responsibilities	
* * *		
The following portion is to be completed by the responding party and filed with the Commission within 10 days of receipt; failure to do so will constitute a waiver and the above-named person will be deemed an expert having access to Confidential Information under the terms and conditions of the Protective Order.		
No objection.		
Objection.		
The responding party objects to the above-named of Information. The objecting party shall file a motion and asking exclusion of the expert from access to the expert from acce	on setting forth the basis for objection	

Date

Signature

#### **EXHIBIT B**

# AGREEMENT CONCERNING CONFIDENTIAL INFORMATION IN DOCKETS UE-111048/UG-111049 BEFORE THE

## WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

I, Coral Koidahl, as Paralegal Internation (a party to this proceeding) hereby agree to comply Order entered by the Washington Utilities and TranuE-111048/UG-111049, and acknowledge that I have fully understand its terms and conditions.	nsportation Commission in Dockets
Coral k	6/24/11
Signature	Date 6 ( 24/1)
Washington State Attorney General's Office Employer	
800 5 <sup>th</sup> Avenue, Suite 2000, Seattle, WA 98104-31 Address	88 Paralegal Intern Position and Responsibilities
* * *	
The following portion is to be completed by the rescommission within 10 days of receipt; failure to do above-named person will be deemed an expert have under the terms and conditions of the Protective Or	o so will constitute a waiver and the ing access to Confidential Information
No objection.	
Objection.	
The responding party objects to the above-named of Information. The objecting party shall file a motion and asking exclusion of the expert from access to Co	n setting forth the basis for objection

Date

# **EXHIBIT B (EXPERT AGREEMENT)**

# AGREEMENT CONCERNING CONFIDENTIAL INFORMATION IN DOCKETS UE-111048/UG-111049 BEFORE THE

	I, Glenn A. Watk		, as expert
	witness in this proceeding for Rblic Co		(a party to
this proceeding) hereby agree to comply with and be bound by the Protective			ctive Order
	entered by the Washington Utilities and Transpor	tation Commission in I	Dockets
~	UE-111048/UG-111049, and acknowledge that I	have reviewed the Prot	ective Order and
	fully understand its terms and conditions.		
V	& Ottor	1 / 111	
	Jan Mary	6/17/11	
	Signature	Date	
	Technical Associates, Inc.  Employer 9030 Stony Point Parkway, Ste Richmond, VA 23235  Address		
	Employer	. E C27	*
	9030 Stony Point Parkway, St	70 C	· · · ·
	Richmond, VA 23235	V. P. Seniar	<u>cconomy</u>
	Address	Position and Respoi	nsibilities
	* * *		
	The following portion is to be completed by the responding party and filed with the		
	Commission within 10 days of receipt; failure to do so will constitute a waiver and the		
	above-named person will be deemed an expert having access to Confidential Information		
under the terms and conditions of the Protective Order.			
	No objection.		
	Objection.		
	-		
The responding party objects to the above-named expert having			
	Information. The objecting party shall file a motion setting forth the basis for objection		
	and asking exclusion of the expert from access to Confidential Information.		
	Signature	Date	

# EXHIBIT C (HIGHLY CONFIDENTIAL INFORMATION AGREEMENT)

# AGREEMENT CONCERNING HIGHLY CONFIDENTIAL INFORMATION IN DOCKETS UE-111048/UG-111049 BEFORE THE

BEFORE THE
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
I, Glenn A. Watkins, as
In-house attorney In-house expert Outside counsel Outside expert
in this proceeding for Public Counsel (a party to this proceeding) hereby declare under penalty of perjury under the laws of the State of Washington that the following are true and correct:
a. I am not now involved, and will not for a period of two years involve myself in, competitive decision making with respect to which the documents or information may be relevant, by or on behalf of any company or business organization that competes, or potentially competes, with the company or business organization from whom they seek disclosure of highly confidential information with respect to the development or purchase of energy resources; and
b. I have read and understand, and agree to be bound by, the terms of the Protective Order in this proceeding, including this Section C of the Protective Order.  Signature  Date
Pichmond, VA City/State where this Agreement was signed

Technical Associates, Inc.

ORDERUI	
Employer	0030 Stroy Point Parkway, St
V.P./Senior Economist  Position and Responsibilities	9030 Stony Point Parkway, St Richmond, UA 23235 Permanent Address
Position and Responsionates	1 Official Control of
* * * The following portion is to be completed by the re Commission within 10 days of receipt. Failure to above-named person will be deemed a person have Information under the terms and conditions of the	do so will constitute a waiver and the ing access to Highly Confidential
No objection.	
Objection. The responding party having access to Highly Confidential Information with the Commission, supported by affidavit, setting exclusion of the person from access to Highly Confidential Information.	ing forth the basis for objection and
Signature	Date

## **EXHIBIT B (EXPERT AGREEMENT)**

# AGREEMENT CONCERNING CONFIDENTIAL INFORMATION IN DOCKETS UE-111048/UG-111049 BEFORE THE

I, MARTORIE M. LE	LIN	, as expert
witness in this proceeding for PUBUC		(a party to
this proceeding) hereby agree to comply with and	be bound by the Prote	ctive Order
entered by the Washington Utilities and Transport	tation Commission in 1	Dockets
UE-111048/UG-111049, and acknowledge that I	have reviewed the Prot	ective Order and
fully understand its terms and conditions.		
Mayorie M. Lesen	JUNE 1	7, 2011
Signature /	Date	
THE COLUMBIA GROUP, INC.		
TO 1		
ROGERED CT 06877	CONSULTA	NT
Address	Position and Respon	nsibilities
* * *		
The following portion is to be completed by the re	esponding party and fil	ed with the
Commission within 10 days of receipt; failure to o	do so will constitute a	waiver and the
above-named person will be deemed an expert ha	ving access to Confide	ntial Informatio
under the terms and conditions of the Protective C	Order.	
No objection.		
Objection.		
The responding party objects to the above-named	expert having access t	o Confidential
Information. The objecting party shall file a moti	on setting forth the bas	sis for objection
and asking exclusion of the expert from access to	Confidential Informat	ion.
Signature	 Date	
Signature	Dale	

## EXHIBIT C (HIGHLY CONFIDENTIAL INFORMATION AGREEMENT)

# AGREEMENT CONCERNING HIGHLY CONFIDENTIAL INFORMATION

IN DOCKETS UE-111048/UG-111049
BEFORE THE
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
I, MARTORIE M. LEVIN, as
In-house attorney
In-house expert
Outside counsel
Coutside expert
n this proceeding for Public Course (a party to this proceeding) hereby declare under penalty of perjury under the laws of the State of Washington that the following are true and correct:
I am not now involved, and will not for a period of two years involve myself in, competitive decision making with respect to which the documents or information may be relevant, by or on behalf of any company or business organization that competes, or potentially competes, with the company or business organization from whom they seek disclosure of highly confidential information with respect to the development or purchase of energy resources; and
I have read and understand, and agree to be bound by, the terms of the Protective Order in this proceeding, including this Section C of the Protective Order.
Maigail Modern JUNE 17, 2011 Date
RINGERED CT 06877 City/State where this Agreement was signed
THE COLUMBIA GROUP, INC.

Employer	90 GODIE ST. STE. ZII
CONSLITANT	RIDGERELD, CT 0681
Position and Responsibilities	Permanent Address
* * *	
The following portion is to be completed by the re	esponding party and filed with the
Commission within 10 days of receipt. Failure to	do so will constitute a waiver and the
above-named person will be deemed a person hav	ing access to Highly Confidential
Information under the terms and conditions of the	protective order.
No objection.	
Objection. The responding party	objects to the above-named person
having access to Highly Confidential Information	
with the Commission, supported by affidavit, setti	ing forth the basis for objection and
asking exclusion of the person from access to Hig	hly Confidential Information.
Signature	Date

# **EXHIBIT B (EXPERT AGREEMENT)**

# AGREEMENT CONCERNING CONFIDENTIAL INFORMATION IN DOCKETS UE-111048/UG-111049 BEFORE THE

I, <u>Andrea</u> C. ( witness in this proceeding for <u>Public</u>	rane	, as expert
witness in this proceeding for Public	COUNSEL	(a party to
this proceeding) hereby agree to comply with	and be bound by the Prote	ective Order
entered by the Washington Utilities and Trans		
UE-111048/UG-111049, and acknowledge th		
fully understand its terms and conditions.		
•	June 17	, 2011
Signature	Date	
Jardrea C. Crane Signature The Columbia Geoup,	, INC.	
Employer 90 GROVE ST. Suite 21 RIDGEFIELD, CT 0687	Consult	
Address	Position and Respo	onsibilities
* * *		
The following portion is to be completed by t		
Commission within 10 days of receipt; failure		
above-named person will be deemed an expe under the terms and conditions of the Protect		Cittal information
No objection.		•
Objection.		
The responding party objects to the above-na	med expert having access	to Confidential
Information. The objecting party shall file a		
and asking exclusion of the expert from acce	ss to Confidential Information	tion.
Signature	Date	

# EXHIBIT C (HIGHLY CONFIDENTIAL INFORMATION AGREEMENT)

AGREEMENT CONCERNING HIGHLY CONFIDENTIAL INFORMATION IN DOCKETS UE-111048/UG-111049 BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION I, Andrea C. Crane \_\_ In-house attorney In-house expert \_\_ Outside counsel XOutside expert in this proceeding for <u>Public</u> Counsel (a party to this proceeding) hereby declare under penalty of perjury under the laws of the State of Washington that the following are true and correct: I am not now involved, and will not for a period of two years involve myself in, a. competitive decision making with respect to which the documents or information may be relevant, by or on behalf of any company or business organization that competes, or potentially competes, with the company or business organization from whom they seek disclosure of highly confidential information with respect to the development or purchase of energy resources; and I have read and understand, and agree to be bound by, the terms of the Protective b. Order in this proceeding, including this Section C of the Protective Order. City/State where this Agreement was signed

The COLUMBIA GROWP INC.

**PAGE 16** DOCKET UE-111048 **DOCKET UG-111049** ORDER 01 90 GROVE ST., Suite 211 Riduefield, CT 06877 Employer Consultant Position and Responsibilities The following portion is to be completed by the responding party and filed with the Commission within 10 days of receipt. Failure to do so will constitute a waiver and the above-named person will be deemed a person having access to Highly Confidential Information under the terms and conditions of the protective order. No objection. Objection. The responding party objects to the above-named person having access to Highly Confidential Information. The objecting party shall file a motion with the Commission, supported by affidavit, setting forth the basis for objection and asking exclusion of the person from access to Highly Confidential Information.

Signature

Date

### Docket Nos. UE-111048 and UG-111049 PSE GRC 2011 (Use Service List from UE-090704 & UG-090705)

I hereby certify that a true and correct copy of Protective Order No. 01 Exhibit A (Attorney Agreement) of Sarah Shifley and Simon ffitch, Exhibit B (Confidential Information Agreement) of Mary Kimball, Lea Daeschel, Carol Williams, Christian Carlson, Coral Koidahl, Glenn Watkins, Majorie Levin, Andrea Crane and Linda Borla and Exhibit C (Highly Confidential Information Agreement) of Glen Watkins, Majorie Levin and Andrea Crane was sent to each of the parties of record shown below in sealed envelopes, via: First class mail, and electronic mail on June 27, 2011.

# \*\* = Receive Highly Confidential; \* = Receive Confidential; NC = Receive Non-Confidential

#### \*\*PSE:

SHEREE STROM CARSON PERKINS COIE LLP 10885 NE FOURTH STREET, SUITE 700 BELLEVUE, WA 98004-5579

#### \*\*THE KROGER CO:

MICHAEL L KURTZ ESQ KURT J BOEHM ESQ BOEHM KURTZ & LOWRY 36 EAS SEVENTH STREET #1510 CINCINNATI OH 45202

#### \*NWIGU:

CHAD STOKES CABLE HUSTON BENEDICT HAAGENSEN & LLOYD LLP 1001 SW FIFTH AVE SUITE 20000 PORTLAND OREGON 97204 1136

#### \*\*ICNU:

S BRADLEY VAN CLEVE IRION SANGER DAVISON VAN CLEVE PC 333 SW TAYLOR #400 PORTLAND OR 97204

#### \*\*WUTC STAFF:

ROBERT D. CEDARBAUM MICHAEL FASSI ASSISTANT ATTORNEY GENERAL 1400 S. EVERGREEN PARK DR SW, P.O. BOX 40128 OLYMPIA, WA 98504-0128

#### **NW ENERGY COALITION:**

\*DAVID S JOHNSON \*\*DANIELLE DIXON 811 1<sup>ST</sup> AVE SUITE 305 SEATTLE WA 98104

#### \*SEATTLE STEAM:

ELAINE SPENCER GRAHAM & DUNN PIER 70 2801 ALASKAN WAY #300 SEATTLE WA 98121 1128

#### \*\*ENERGY PROJECT:

RONALD L ROSEMAN ATTORNEY AT LAW 2011 – 14<sup>TH</sup> AVE EAST SEATTLE WA 98112

#### \*NWIGU:

PAULA E PYRON
EXECUTIVE DIRECTOR
NORTHWEST INDUSTRIAL GAS
USERS
4113 WOLFBERRY COURT
LAKE OSWEGO OR 97035 1827

# \*\*FEDERAL EXECUTIVE AGENCIES:

NORMAN FURUTA ASSOCIATE COUNSEL DEPARTMENT OF THE NAVY 1455 MARKET STREET #1744 SAN FRANCISCO CA 94103 1399

#### \*\*NUCOR STEEL SEATTLE, INC.

DAMON E XENOPOULOS ESQ SHAWN C MOHLER ESQ PETER G HALLER ESQ BRICKFIELD BURCHETTE RITTS & STONE 1025 THOMAS JEFFERSON ST NW 8<sup>TH</sup> FLOOR WEST TOWER WASHINGTON DC 20007

Dated: June 27, 2011.

\*\*COST MANAGEMENT SERVICES: JOHN A CAMERON DAVIS WRIGHT TREMAINE LLP 1300 SW FIFTH AVE #2300 PORTLAND OR 97201

> CAROL WILLIAMS Legal Secretary