

Robblee Detwiler PLLP
Attorneys at Law

Kristina Detwiler
SaNni Lemonidis

2101 Fourth Avenue
Suite 1000
Seattle, Washington 98121-2317
206.467.6700 · 1.800.548.7959
206.467.7589 facsimile

Bradley Medlin
Richard H. Robblee*

*Of counsel

January 9, 2019

Mark L. Johnson
Washington Utilities and Transportation Commission
PO Box 47250
Olympia, Washington 98504

VIA ELECTRONIC
FILING

State Of WASH.
UTIL. AND TRANSP.
COMMISSION
01/09/19 13:55
Received
Records Management

Re: IBEW and UA 32 Objection to PSE's Unilateral Request to Change Case
Schedule
Case: In the Matter of the Joint Application of Puget Sound Energy, *et al.*
Docket U-180680
Our File No. 5947-000

Dear Mr. Johnson:

Intervenors International Brotherhood of Electrical Workers, Local 77 and United Association of Plumbers and Pipefitters, Local 32 ("Labor Unions") object to Puget Sound Energy's ("PSE") unilateral request to alter the agreed-upon case schedule. The Labor Unions object for numerous reasons. First, the Labor Unions have relied upon the March 1, 2019 schedule that was set by mutual agreement among the parties. Witnesses have also planned on that date, not a new arbitrary date. The Labor Unions also note that the March 1, 2019 hearing was already on an expedited basis.

Second, the Labor Unions object given they were not consulted nor considered in PSE's presentation of new dates. Commission Staff presented the proposed schedule to the Labor Unions the same day it was mailed to the Commission – a *fait accompli*. The Labor Unions have not been afforded any meaningful opportunity to provide input on revised dates. Additionally, neither PSE nor Commission Staff provided any explanation why the already expedited schedule should be further accelerated.

Third, the Labor Unions, as non-settling parties, have rights conferred by WAC 480-07-740(3)(c). These include the rights to cross examine witnesses, present evidence in opposition to the settlement, present argument, and furnish evidence. The Commission also disfavors continuances which prejudice a party's participation. (*Verizon Comm. Inc.*, UT-090842, Order-04). PSE's proposed schedule prejudices the Labor Unions' ability to do these things. By accelerating the schedule, which conflicts with witnesses and attorney availability, the Labor Unions are being prejudiced.

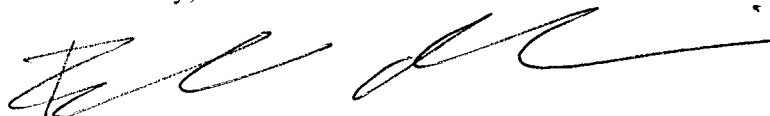
Mark L. Johnson
January 9, 2019
Page Two

Lastly, the Commission has explained – despite PSE’s objection – that the Labor Unions have an important role in this case. The Commission held:

[T]hat UA Local 32’s and IBEW’s participation may be useful to the Commission in compiling an appropriate record and determining whether the proposed transactions will result in ‘no harm’ to PSE’s customers.

(Order 03). The Commission likewise made the same conclusion regarding WNIDCL. (Id). By disregarding the Labor Unions’ reliance on the March 1st hearing and schedules, PSE is obstructing what the Commission allowed – meaningful labor participation. The Labor Unions should be afforded a sufficient opportunity to participate in this matter. That includes consideration of the Labor Unions’ availability for a hearing. Indeed, the Commission does endeavor to accommodate a party’s constraints when issuing a procedural schedule. (*Puget Sound Energy*, UG-110723, Order-06). Accordingly, the Labor Unions request that the agreed-upon March 1, 2019 hearing date not be altered.

Sincerely,



Bradley Medlin, WSBA No. 43486
Robblee Detwiler PLLP
2101 Fourth Avenue, Suite 1000
Seattle, Washington 98121
Telephone: (206) 467-6700
Facsimile: (206) 467-7589
Email: bmedlin@unionattorneynw.com

Attorneys for IBEW and UA 32

BM:mk