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8 BEFORE THE  
9 WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION  
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11  
12 In the Matter of the Petition of  
13  
14 PUGET SOUND ENERGY, INC.  
15  
16  
17 for a Declaratory Order and Accounting Order  
18 Regarding the Classification of Certain  
19 Facilities and Accounting Treatment Consistent  
20 Therewith.  
21  
22  
23

NO. UE-010010  
  
JOINT SUPPLEMENTAL COMMENTS  
OF PUGET SOUND ENERGY, INC.,  
TENASKA WASHINGTON PARTNERS,  
L.P., AND THE COGENERATION  
COALITION OF WASHINGTON

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25  
26 On January 2, 2001, Puget Sound Energy, Inc. ("PSE") filed a petition for a  
27  
28 declaratory order requesting the Commission adopt PSE's proposed classification of  
29  
30 transmission and distribution facilities and for an accounting order authorizing PSE to reflect  
31  
32 such classifications in its accounts (the "Petition"). The Commission heard oral comment on  
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34 the Petition on March 9, 2001. During these proceedings, the Commission decided to permit  
35  
36 parties an opportunity to submit supplementary written comments. By order dated March 9,  
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38 2001, (the "March 9 Order") the Commission ordered that the parties have an opportunity to  
39  
40 file supplemental comments on or before March 13, 2001.

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42 Pursuant to the March 9 Order, PSE, Tenaska Washington Partners, L.P. ("Tenaska"),  
43  
44 and the Cogeneration Coalition of Washington ("CCW") (together, the "Joint Commenters"),  
45  
46 hereby submit the following joint supplemental comments.  
47

JOINT COMMENTS - 1

[07771-0100/010010, PSE et al, Joint Supplemental Comments, 3-13-01.doc]

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1 In order to address the concerns raised by Tenaska and CCW in this proceeding, the  
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3 Joint Commenters respectfully request that any order issued by the Commission in this  
4  
5 proceeding contain or reflect the following principles:

- 6  
7 1. The classification of facilities in this proceeding as transmission and distribution  
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9 shall not predetermine which facilities are designated for RTO West operational  
10  
11 control, nor would such classification predetermine the extent or nature of PSE's  
12  
13 participation, if any, in an RTO.
- 14  
15 2. Generators obtaining FERC-jurisdictional service using facilities that are  
16  
17 classified in this proceeding as distribution will pay for the use of such  
18  
19 distribution facilities at a rate or charge pursuant to the terms and conditions of the  
20  
21 applicable Open Access Transmission Tariff accepted for filing by the Federal  
22  
23 Energy Regulatory Commission ("FERC"); such generators will not be subject to  
24  
25 any retail distribution rate imposed by the Washington Utilities and  
26  
27 Transportation Commission.
- 28  
29 3. The classification of a facility as distribution will not alter FERC's jurisdiction  
30  
31 over such facility as it is used for the provision of FERC-jurisdictional services.
- 32  
33 4. Any dispute resulting from FERC-jurisdictional generation integration or  
34  
35 transmission service shall be subject to the terms and conditions of the applicable  
36  
37 Open Access Transmission Tariff or RTO dispute resolution process.

38  
39 **CONCLUSION**

40  
41 The Joint Commenters therefore respectfully request that the Commission enter an  
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43 order adopting the proposed classification of transmission and distribution facilities as set  
44  
45 forth in Exhibit A to PSE's Petition. The Joint Commenters also respectfully request that any  
46  
47 such order contain or reflect the principles set forth above.

1 Dated the 13<sup>th</sup> day of March, 2001.

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3 **Respectfully submitted,**

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5 **PERKINS COIE LLP**

**STOEL RIVES LLP**

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8  
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