

BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the Petition of,

PUGET SOUND ENERGY, INC.

For a Declaratory Order on Schedule 74
and the Schedule 74 Design Agreement
between Puget Sound Energy, Inc. and the
City of Tumwater.,

Docket No. UE-061626

DECLARATION OF STEVE BOTTS
IN SUPPORT OF PUGET SOUND
ENERGY, INC.'S MOTION FOR
SUMMARY DECLARATION

1. I, Steve Botts, hereby declare under penalty of perjury under the laws of the State of Washington that the following are true and correct:
2. I am the Real Estate Representative for Puget Sound Energy, Inc. ("PSE"). My work address is 3130 S. 38th St., Tacoma. My phone number is 253-476-6416.
3. I graduated from Western Washington University in 1984 with a Bachelor of Arts degree in Business Administration. In 1991, after having worked in a bank, I took over my father's right of way ("ROW") consulting business, HLB Property Services. This business involved acquiring ROW on behalf of governmental and private entities, including PSE. My duties included negotiating on behalf of these entities or companies to obtain ROW for various construction projects. I joined PSE in 1997, after the Puget Power & Light/Washington Natural Gas merger, as a ROW Representative II. The ROW department was, and is, a part of the real estate department. In 1999, I was promoted to Real Estate Representative in Bellevue. I transferred to the Tacoma area in 2004, when the Kitsap portion of my area was dropped. I have been a member of the International Right of Way Association for 15 years. Through the IRWA, I have attended many educational courses and seminars throughout the years.
4. I am a "working supervisor," meaning I both negotiate land rights with property owners on behalf of PSE and supervise the real estate work of others.
5. I acted as Real Estate Representative with regard to the Tumwater Boulevard Widening Project (the "Project"). As such, I supervised the staff that performed the rights review, and I have been involved in generally facilitating construction of the Project.

DECLARATION OF STEVEN BOTTS IN
SUPPORT OF MOTION FOR SUMMARY
DECLARATION

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6. In order to place, maintain and operate electrical facilities, PSE must acquire rights from the entity that owns or controls the property where the facilities will be located. We typically obtain such operating rights in the form of an easement or utilize existing easement rights or a franchise agreement.
 7. Whether or not PSE obtains an easement or franchise is determined by the value of the facilities being installed by PSE, the likelihood that these facilities will need to be relocated, and the cost associated with relocation. For example, placing facilities pursuant to a franchise for a large area may be more cost effective and quicker than negotiating individual private easements for that same area. In addition, if relocation costs are likely to be expensive, PSE would be more inclined to seek an easement.
 8. Even if PSE does not pay for an easement, it nonetheless has value. In the past, PSE has requested and received compensation for releasing easements from both private and public property owners.
 9. PSE currently maintains approximately 150,000 easements throughout its system, a significant number of which are from government agencies.
 10. Prior to commencing a public improvement project such as the one at issue in this case, PSE generally performs a rights review to determine the scope of PSE's operating rights regarding the project and whether the rights are pursuant to an easement or a franchise. In this case, we determined that an easement covers the entire Tumwater Boulevard project area. That particular easement was recorded in Thurston County on or about December 8, 1981, and is the basis for PSE's operating rights in the Tumwater Project area.

EXECUTED at Tacoma, Washington this 22nd day of February, 2007.


Steve Botts

DECLARATION OF STEVEN BOTTIS IN
SUPPORT OF PSE'S MOTION FOR
SUMMARY JUDGMENT 2

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