

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

PROOF OF SERVICE

DOCKET NO. UE-001952

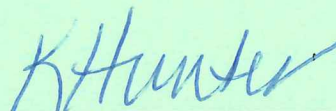
KNOW ALL PERSONS BY THESE PRESENTS That the undersigned, an employee of the Washington Utilities and Transportation Commission at Olympia, Washington, hereby certifies that a copy of the document referred to below was served on the parties of record in said proceeding in the following manner:

On the 3RD day of JANUARY, 2001, a true copy of FOURTH SUPPLEMENTAL ORDER: DENYING REQUEST FOR EXTENSION OF TIME.

in the above-entitled cause now pending before the Commission was enclosed in an envelope addressed to each of the parties of record as set forth below. Each envelope was addressed to the address shown in the official files attached hereto, sealed with the required first-class postage thereon, and deposited on said date in the United States mail in the City of Olympia, County of Thurston, State of Washington.

PARTIES OF RECORD AND OTHERS RECEIVING NOTICE

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Docket No. UE-001952 et al

Date: January 3, 2001

Number of pages including cover sheet: 4

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Don Trotter, AAG & Jeff Goltz, AAG & Robert Cedarbaum, AAG (Staff)	360-586-5522
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TRANSACTION REPORT

P. 01

JAN-03-2001 WED 03:42 PM

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NAME:

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13055	Secrist, Steve	Puget Sound Energy (E012); Rates & Regulations; PO Box 97034 (MS:OBC-O3W)	Seattle	WA	98101-3197
84476	Trotter, Don	WUTC; Attorney General Section; State Mail Stop 40128	ALLENTOWN	PA	18195-1501
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43875	YOTT, MR ROGER	AIR PRODUCTS & CHEMICAL INC.; 7201 HAMILTON BLVD.			

FORMAL UTILITY ORDERS & LETTERS

Date Served: 01/03/01

Docket No: UE-001952

Document: FOURTH SUPPLEMENTAL ORDER: DENYING REQUEST FOR EXTENSION OF TIME.

- Cathy Kern (hand deliver 2 copies)
- Utility Industry Support Person
- water - 5 copies, telecom & energy
- 3 copies
- Vicki Elliott
- ALJ assigned? if not, 1 copy ALD
- Penny Hansen
- Rachel Porter (1 copy) **(No Protective Orders and No Consent Open Meeting Orders)**
- Comm. AAG's (AG assigned - *Goltz*)
- & one copy to Jeff Goltz - **do not send copies of Open Meeting orders to the AG's** *Cedarbaum*
- Krista Linley (scheduling orders, notices, changes to schedules)
- Financial Svcs. (Instituting Invest. & penalty assessment)
- Mary Mendoza *Tratter*

- Policy Planning
- Paul Curl
- Final Util. Sub. File
- Public Affairs
- Team members - inc. Reg Svcs. (check in-house distribution list too)
- Dept of Health (Ethan Moseng & Gregg Grunenfelder) **Water Orders Only!**
- Mike Sommerville (Protective Orders Only)

Wallis Moss

Goltz Cedarbaum Tratter

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

Air Liquide America Corporation, Air Products and Chemicals, Inc., The Boeing Company, CNC Containers, Equilon Enterprises, LLC, Georgia-Pacific West, Inc., Tesoro Northwest Company, The City of Anacortes, Washington, and Intel Corporation

Complainants,

DOCKET NO. UE-001952 (consolidated)

v.

Puget Sound Energy, Inc.

Respondent.

In re: Petition of Puget Sound Energy, Inc. for an Order Reallocating Lost Revenues Related to any Reduction in the Schedule 48 or G-P Special Contract Rates

DOCKET NO. UE-001959 (consolidated)

FOURTH SUPPLEMENTAL ORDER: DENYING REQUEST FOR EXTENSION OF TIME

1 PROCEEDINGS: Air Liquide, et al. filed their original Formal Complaint Requesting Emergency Adjudicative Proceeding in Docket No. UE-001952 on December 12, 2000. Complainants filed an Amended Complaint on December 18, 2000, and a Second Amended Complaint on December 28, 2000. PSE filed its Petition in Docket No. UE-001959 on December 13, 2000. PSE filed its Answer to the first Amended Complaint on January 2, 2000.

2 The Commission, on due and proper notice, conducted a prehearing conference on December 14, 2000, before Chairwoman Marilyn Showalter, Commissioner Richard Hemstad, and Administrative Law Judge Dennis J. Moss. Among other things, the Commission established a procedural schedule, invoked the discovery rule (WAC 480-09-480), and entered a Protective Order (First Supplemental Order, December 19, 2000). A second prehearing conference was convened before ALJ Moss on

future conform to the requirements for filing as stated in the Commission's procedural rules and in prior Order in this proceeding. **Parties should be on notice that future filings that fail to conform to these requirements may not be considered.**

6 **DISPOSITION:** Complainants filed this action requesting Emergency Adjudicative Proceedings under RCW 34.05.479 and WAC 480-09-510. The Commission and the Parties have proceeded under an expedited schedule to permit an early hearing to determine, among other things, the threshold question whether the circumstances of which Air Liquide, et al. complain involve "an immediate danger to the public health, safety, or welfare requiring immediate action by the commission." WAC 480-09-510(1).


7 Originally, the hearing was scheduled at Complainants' request for December 29, 2000. During discussion with the Parties at our second prehearing conference, it became apparent that the Parties simply could not accomplish all that needed to be accomplished by that deadline. Accordingly, the evidentiary hearing was postponed by one business week. Additional process and procedural dates were established by the presiding Administrative Law Judge following full consultation with the Parties. Among other things, January 4, 2001, was established as the date for filing prehearing briefs. This allowed only a single business day between the filing of prehearing briefs and the commencement of evidentiary hearings on January 8, 2001. The Parties and the Commission require some period of time to review and consider the prehearing briefs. Moreover, the Parties and the Commission must complete various other demanding tasks prior to the commencement of evidentiary hearings. One business day is barely adequate to accomplish all that must be accomplished to ensure an orderly proceeding. For these reasons, it would not be appropriate to grant an extension of time for the filing of briefs.

ORDER

THE COMMISSION ORDERS That the request for an extension to file prehearing briefs is DENIED.

DATED at Olympia, Washington, and effective this 3rd day of January 2001.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION


DENNIS J. MOSS
Administrative Law Judge