

BEFORE THE WASHINGTON STATE  
UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND	)	DOCKET NO. PG-041624
TRANSPORTATION COMMISSION,	)	
	)	ORDER NO. 02
Complainant,	)	
	)	PREHEARING CONFERENCE
v.	)	ORDER;
	)	
PUGET SOUND ENERGY, INC.,	)	NOTICE OF PREHEARING
	)	CONFERENCE
Respondent.	)	(Set for Thursday, December 9,
	)	2004 at 9:30 a.m.)
.....	)	

1 **NATURE OF PROCEEDING.** Docket No. PG-014624 is a complaint proceeding initiated by the Washington Utilities and Transportation Commission (Commission) against Puget Sound Energy, Inc. (PSE or the company) and an emergency adjudicative proceeding to determine whether to order emergency relief. The complaint arises out of an explosion on September 2, 2004, at the house located at 16645 SE 26<sup>th</sup> Place, Bellevue, Washington where natural gas service was provided by PSE.

2 **CONFERENCES.** The Commission convened an emergency adjudicative proceeding on September 15, 2004, in Olympia, Washington, before Chairwoman Marilyn Showalter, Commissioner Patrick J. Oshie, and Administrative Law Judge Ann E. Rendahl. During the hearing, the Commission granted the Petition to Intervene of the City of Bellevue and accepted the Agree Submission of Commission Staff and PSE identifying the agreed upon action plan for addressing the emergency. The Commission set a date for a second prehearing conference to identify remaining issues and establish a schedule for non-emergency aspects of the proceeding.

3 The Commission convened a prehearing conference in this docket at Olympia,  
Washington on October 22, 2004 before Administrative Law Judge Theodora M.  
Mace.

4 **APPEARANCES.** James F. Williams, Perkins Coie LLP, Bellevue, Washington,  
represents PSE. Lori M. Riordan, Acting City Attorney, Bellevue, Washington,  
represents the City of Bellevue. Donald T. Trotter, Assistant Attorney General,  
Olympia, Washington, represents Commission Staff.<sup>1</sup> Contact information  
provided at the conference for the parties' representatives is attached as  
Appendix A to this order.

5 **PETITIONS FOR INTERVENTION.** The Petition to Intervene of the City of  
Bellevue was granted at the September 15, 2004 emergency adjudicative  
proceeding.

6 **DISCOVERY.** Discovery will be conducted pursuant to the Commission's  
discovery rules, WAC 480-07-400 – 425. The Commission urges the parties to  
work cooperatively together to avoid having to bring discovery matters forward  
for formal resolution.

7 **PROTECTIVE ORDER.** The parties request that the Commission enter a  
protective order in this docket pursuant to RCW 34.05.446, RCW 80.04.095, WAC  
480-07-420, and WAC 480-07-423 to protect the confidentiality of proprietary  
information. The request was granted, and a protective order will be entered.

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<sup>1</sup> In formal proceedings, such as this case, the Commission's regulatory staff functions as an independent party with the same rights, privileges, and responsibilities as any other party to the proceeding. There is an "ex parte wall" separating the Commissioners, the presiding Administrative Law Judge, and the Commissioners' policy and accounting advisors from all parties, including Staff. RCW 34.05.455.

8 **ISSUES.** The parties believe the issues to accurately be framed in the complaint initiating this proceeding.

9 **PROCEDURAL SCHEDULE.** The parties stated that they are actively investigating the cause of the explosion that is central to the complaint. They further stated that they will be better able to judge what will be an appropriate schedule by early December. They requested that the Commission establish another prehearing conference during that time period to further address schedule.

10 **NOTICE OF PREHEARING CONFERENCE.** The Commission convenes a prehearing conference in this matter, to address scheduling and other matters appropriate to a resolution of this case. **The conference will be held on Thursday, December 9, 2004 at 9:30 a.m. in the Commission's Hearing Room, Second Floor, Chandler Plaza Building, 1300 S. Evergreen Park Drive S. W., Olympia, Washington.** Persons who cannot attend in person may participate via the Commission's teleconference bridge line **360-664-3846**. Persons desiring to participate via the bridge line must make advance reservations, by calling Margret Kaech at 360-664-1140, no later than 5:00 p.m. on Wednesday, December 8, 2004.

11 **DOCUMENT PREPARATION AND FILING REQUIREMENTS.** Parties must file with the Commission an original plus 14 copies of all pleadings, motions, briefs, and other prefiled materials. Paper copies of these materials are required to conform to the format and publication guidelines set forth in WAC 480-07-395 and 480-07-460, and must be three-hole punched with *oversized* holes to allow easy handling. The Commission may require a party to refile any document that fails to conform to these standards.

12 All filings must be mailed to the Commission Executive Secretary, Washington Utilities and Transportation Commission, P.O. Box 47250, 1300 S. Evergreen Park

Drive, S.W. Olympia, Washington 98504-7250, or delivered by hand to the Commission Executive Secretary at the Commission's Records Center at the Washington Utilities and Transportation Commission, 1300 S. Evergreen Park Drive, S.W., Olympia, Washington, 98504. Both the post office box and street address are required to expedite deliveries by the U.S. Postal Service.

- 13 An electronic copy of all filings must be provided by e-mail delivery to <[records@wutc.wa.gov](mailto:records@wutc.wa.gov)>. Alternatively, parties may furnish an electronic copy by delivering with each filing a 3.5-inch IBM-formatted high-density diskette including the filed document(s). The Commission prefers that parties furnish electronic copies in .pdf (Adobe Acrobat) format, supplemented by a separate file in MS Word 6.0 (or later), or WordPerfect 5.1 (or later) format. Parties are required to organize and identify electronic files as specified in WAC 480-07-140(5).
- 14 **ELECTRONIC FILING.** Parties may only file documents electronically with the Commission in this proceeding with the permission of the Administrative Law Judge. Under WAC 480-07-145(6), electronic filing of documents provides a one-day extension of the paper-filing requirement. If, at any time during this proceeding, parties are authorized to file documents with the Commission electronically under WAC 480-07-145(6), Parties must submit the document to [records@wutc.wa.gov](mailto:records@wutc.wa.gov), and file an original, plus 14 copies, of the document with the Commission by the following business day.
- 15 **ALTERNATE DISPUTE RESOLUTION.** The Commission supports the informal settlement of matters before it. Parties are encouraged to consider means of resolving disputes informally. The Commission does have limited ability to provide dispute resolution services; if you wish to explore those services, please call the Director, Administrative Law Division, at 360-664-1142.

16 **NOTICE TO PARTIES: Any objection to the provisions of this Order must be filed within ten (10) days after the service date of this Order, pursuant to WAC 480-07-430 and WAC 480-07-810. Absent such objection, this Order will control further proceedings in this matter, subject to Commission review.**

Dated at Olympia, Washington, and effective this 28th day of October, 2004.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

THEODORA M. MACE  
Administrative Law Judge

**APPENDIX A**

**PARTIES' REPRESENTATIVES  
DOCKET NO. PG-041624**

<b>PARTY</b>	<b>REPRESENTATIVE</b>	<b>PHONE</b>	<b>FACSIMILE</b>	<b>E-MAIL</b>
<b>Puget Sound Energy</b>	James Williams Perkins Coie, LLP 1201 Third Avenue, Suite 4800 Seattle, WA 98101-3099	206-359-3543	206-583-8500	<a href="mailto:jwilliams@perkinscoie.com">jwilliams@perkinscoie.com</a>
<b>City of Bellevue</b>	Lori Molander-Riordan City Attorney's Office PO Box 90012 Bellevue, WA 98009	425-452-6829	425-452-7256	<a href="mailto:lriordan@ci.bellevue.wa.us">lriordan@ci.bellevue.wa.us</a>
<b>Commission Regulatory Staff</b>	Don Trotter Assistant Attorney General 1400 S. Evergreen Park Dr. SW PO Box 40128 Olympia, WA 98504-0128	360-664-1189	360-586-5522	<a href="mailto:dtrotter@wutc.wa.gov">dtrotter@wutc.wa.gov</a>