

4 **PETITIONS FOR INTERVENTION.** No persons appeared at the prehearing conference seeking to intervene.

5 **PROTECTIVE ORDER.** The Commission entered a protective order in this docket under RCW 34.05.446, RCW 80.04.095, WAC 480-07-420 and WAC 480-07-423 on March 18, 2005, to protect the parties' confidentiality of proprietary information.

6 **DISCOVERY.** At the prehearing conference, the parties expressed differing views on the issue of discovery in the proceeding. Due to the circuitous history of the proceeding and the parties' disagreement as to the status and scope of discovery in the proceeding, the Commission will resolve the dispute following briefing by the parties. The parties must file with the Commission and serve upon all parties simultaneous initial briefs addressing the legal and procedural status of discovery in this proceeding by **Thursday, September 4, 2008**. Simultaneous reply briefs addressing only arguments raised in the initial briefs must be filed with the Commission and served on all parties by **Thursday, September 11, 2008**.

7 **PROCEDURAL SCHEDULE.** After entering an order resolving the discovery dispute, the Commission will schedule a prehearing conference to establish a procedural schedule to address the remaining issues in this proceeding.

8 **DOCUMENT PREPARATION AND FILING REQUIREMENTS.** Parties must file an **original and four** copies of all pleadings, motions, briefs, and other prefiled materials. These materials must conform to the format and publication guidelines in WAC 480-07-395 and WAC 480-07-460. The Commission prefers that materials 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.

- 9 All filings must be mailed or delivered to the Executive Director and Secretary, Washington Utilities and Transportation Commission, P.O. Box 47250, 1300 S. Evergreen Park Drive, S.W. Olympia, Washington 98504-7250. Both the post office box and street address are required to expedite deliveries by the U.S. Postal Service.
- 10 An electronic copy of all filings must be provided through the Commission's Web Portal (www.utc.wa.gov/e-filing) or by e-mail delivery to records@utc.wa.gov. Alternatively, parties may furnish an electronic copy by delivering with each filing a 3.5-inch IBM-formatted high-density diskette or CD including the filed document(s). Parties must furnish electronic copies in MS Word 6.0 (or later) supplemented by a separate file in .pdf (Adobe Acrobat) format. Parties must follow WAC 480-07-140(5) in organizing and identifying electronic files.
- 11 **ELECTRONIC SUBMISSION OF DOCUMENTS.** The presiding officer grants a one-day extension of the paper-filing requirement under WAC 480-07-145(6), allowing electronic submission of documents with the Commission on the filing deadline. Parties must submit documents through the Commission's Web Portal (www.utc.wa.gov/e-filing) or by e-mail to records@utc.wa.gov, and file an **original, plus four** paper copies, of the documents with the Commission by the following business day. Finally, to perfect filing, parties must provide courtesy copies of filings to the presiding administrative law judge as well as the parties to the proceeding.
- 12 **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 360-664-1144.

13 **NOTICE TO PARTIES:** A party who objects to any portion of this Order must file a written objection within ten (10) calendar days after the service date of this Order, pursuant to WAC 480-07-430 and WAC 480-07-810. The service date appears on the first page of the order in the upper right-hand corner. Absent such objection, this Order will control further proceedings in this matter, subject to Commission review.

Dated at Olympia, Washington, and effective August 25, 2008.

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

MARGUERITE E. RUSSELL
Administrative Law Judge

