

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 16TH day of MARCH, 2001, a true copy of NINTH SUPPLEMENTAL ORDER: ESTABLISHING PROCESS FOR SETTLEMENT HEARING

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

Parties of Record on Filing: 001952
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Docket No. UE-001952 ; UE-001952 ; UE-000735 ; UE-001014 ; UE-001616 ;
UE-010038 ; and UE-010046

Date: March 16, 2001

Number of pages including cover sheet: 6

NAME:	FAX NUMBER:
Melinda Davison & Irion A. Sanger (Georgia-Pacific West, Inc. & ICNU)	503-241-8160
Tom Anderson (Whatcom County PUD #1)	360-384-4849
Adam Gravley, Carol Arnold & Douglas Rosenberg (Whatcom County PUD #1)	206-623-7022
Stan Berman & Todd Glass (PSE)	206-447-0849
James Van Nostrand (PSE)	206-386-7500
Kimberly Harris (PSE)	425-462-3300
Kirstin Dodge & Markham Quehrn (PSE)	425-453-7350
Frank Prochaska (AWPPW)	425-339-6196
John A. Cameron, James Smith & Traci Grundon (Bellingham Cold Storage)	503-778-5299
Michael Myers (ARCO)	213-633-6899 818-545-9063
Jim Pemberton (City of Anacortes)	360-293-1938
William Blakney & Donald Woodworth (King County)	206-296-0415
Simon ffitch & Robert Cromwell (Public Counsel)	206-389-2058
Don Trotter, Sally Johnston & Robert Cedarbaum AAG's (Staff)	360-586-5522

TRANSACTION REPORT

MAR-16-2001 FRI 04:45 PM

BROADCAST

DATE	START	RECEIVER	TX TIME	PAGES	TYPE	NOTE	M#	DP
MAR-16	04:41 PM	8-543934-5032418160	1' 48"	6	SEND	OK	090	
	04:06 PM	8-543934-3603844849	1' 54"	6	SEND	OK	090	
	04:09 PM	8-543934-2066237022	1' 46"	6	SEND	OK	090	
	04:43 PM	8-543934-2064470849	1' 47"	6	SEND	OK	090	
	04:12 PM	8-543934-2063867500	1' 52"	6	SEND	OK	090	
	04:14 PM	8-543934-4254623300	1' 48"	6	SEND	OK	090	
	04:17 PM	8-543934-4254537350	1' 48"	6	SEND	OK	090	
	04:20 PM	8-543934-4253396196	1' 49"	6	SEND	OK	090	
	04:22 PM	8-543934-5037785299	1' 50"	6	SEND	OK	090	
	04:24 PM	8-543934-2136336899	4' 10"	6	SEND	OK	090	
	04:29 PM	8-543934-8185459063	1' 46"	6	SEND	OK	090	
	04:31 PM	8-543934-3602931938	1' 47"	6	SEND	OK	090	
	04:34 PM	8-543934-2062960415	1' 47"	6	SEND	OK	090	
	04:36 PM	8-543934-2063892058	1' 47"	6	SEND	OK	090	

TOTAL : 27M 39S PAGES: 84

RECIP_ID NAME	ADDRESS	Town	State	Zip
272474	CNC Containers; 3045 32nd Ave.	Tumwater	WA	98512
224998	Equilon Enterprises LLC; PO Box 4453	Houston	TX	77210
276154	King County; E550 King County Courthouse	Seattle	WA	98104
272479	Tesoro Northwest Co.; 3450 S 344th Way	Auburn	WA	98001
224996	The Boeing Company; PO Box 3707	Seattle	WA	98124-2207
182895	Public Utility District No. 1 Whatco; 1705 Trigg Rd	Ferndale	WA	98248-9383
270940	Heller Ehrman White McAuliffe, LLP; 701 Fifth Avenue #6100	Seattle	WA	98104
276155	Office of the Prosecuting Attorney-K; Natural Resources Section; 900 King County Administrati	Seattle	WA	98104
64337	DAVIS WRIGHT TREMAINE; 1300 S W Fifth Ave STE 2300	Portland	OR	97201
78716	WUTC; Attorney General Office; State Mail Stop 40128	Seattle	WA	98164
253563	Public Counsel; 900 Fourth Ave. STE 2000	Houston	TX	77056
226326	Air Liquide America Corporation; 2700 Post Oak Blvd.	Portland	OR	97201
233962	Davison Van Cleve; 1300 SW Fifth Ave. STE 2915	Seattle	WA	98164
140939	OFFICE OF THE ATTORNEY GENERAL; PUBLIC COUNSEL; 900 4th Avenue STE 2000	Seattle	WA	98040
195446	Heller Ehrman White & McAuliffe; 701 5th Ave STE 6100	Bellevue	WA	98004-5558
155639	Puget Sound Energy; One Bellevue Center DBC-15; 411 - 108th Ave NE STE 1800	BELLINGHAM	WA	98227-1174
31040	GEORGIA-PACIFIC WEST, Inc.; Transportation Division; PO Box 1174	Los Angeles	CA	90017-2566
73373	WUTC; Attorney General Office; State Mail Stop 40128	Anacortes	WA	98221
275481	Davis Wright Tremaine LLP; 865 S. Figueroa St. STE 2400	Everett	WA	98201
174624	City of Anacortes; Public Works; PO Box 547	BELLEVEUE	WA	98009-9734
272395	Association of Western Pulp and Paper; 3124 Grand Ave.	Seattle	WA	98101-3197
13055	Puget Sound Energy (E012); Rates & Regulations; PO Box 97034 (MS:OBC-O3W)	Seattle	WA	98104
84476	WUTC; Attorney General Section; State Mail Stop 40128	ALLENTOWN	PA	18195-1501
40828	Stoel Rives LLP; 600 University Street STE 3600			
273437	King County Prosecutor's Office; 900 King County Administration Bldg.; 500 Fourth Ave.			
43875	AIR PRODUCTS & CHEMICAL INC.; 7201 HAMILTON BLVD.			

FORMAL UTILITY ORDERS & LETTERS

Date Served: 03/16/01

Docket No: UE-001952

Document: NINTH SUPPLEMENTAL ORDER: ESTABLISHING PROCESS FOR SETTLEMENT HEARING

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 -
& one copy to Sally Johnston - **do
not**

**send copies of Open Meeting
orders to the AG's**

Krista Linley (scheduling orders,
notices, changes to schedules)
 Financial Svcs. (Instituting Invest.
& penalty assessment)
 Mary Mendoza

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)

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

Complainants,

v.

Puget Sound Energy, Inc.

Respondent.

DOCKET NO. UE-001952 (consolidated)

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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)

NINTH SUPPLEMENTAL ORDER: ESTABLISHING PROCESS FOR SETTLEMENT HEARING

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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 On March 9, 2001, the Parties filed On March 9, 2001, the Parties filed a set of related documents which together compose their Settlement Agreement. The Settlement Agreement would resolve all issues pending in Docket Nos. UE-001952 and UE-001959 (Consolidated), UE-000735, UE-001014, UE-001616, UE-010038, and UE-010046. The Settlement Agreement requires final Commission action in

bear on the Commission's consideration of the settlement. These witnesses should expect to appear as a panel. WAC 480-09-751.

- c. **Prior Witnesses Subject To Recall; Substitute Witnesses:** Parties are reminded that all witnesses who previously testified were excused subject to recall. If necessary to ensure a complete and accurate record, such witnesses should be prepared to retake the stand. If a company, Commission Staff, or Public Counsel witness who previously testified is unavailable at the time set for hearing, a substitute witness competent to testify to the subject matter previously testified to by the unavailable witness should be present in the hearing room.
- d. **Bench Inquiry:** The Bench will direct questions to the witness panel collectively, and may direct questions to individual witnesses on the panel. The Bench may direct questions to any individual witnesses recalled to the stand, or to any substitute witness called to testify.
- e. **Inquiry by Counsel:** Counsel for Parties may be permitted to direct questions to the witness panel, or to individual witnesses, if the Bench determines such inquiry is required to clarify the record, ensure a full record, or otherwise to ensure that all Parties are afforded their full due process rights.
- f. **Related Proceedings; Interested Persons:** Persons not parties to Docket Nos. UE-001952 and UE-001959, but who express an interest in the outcome of various related Commission dockets, including Nos. UE-010038, UE-010046, and UE-010010, may request the opportunity to state for the record the nature of their interest or to participate in these proceedings in a fashion appropriate to their interest.

6 **EXHIBITS:** The Bench will mark and consider exhibits at the hearing, and will admit relevant exhibits subject to any objections. The witness panel may sponsor the settlement agreement as a multi-part exhibit and may collectively sponsor other exhibits, if appropriate. Individual witnesses may sponsor exhibits, and the Bench will consider exhibits tendered as "unsponsored by any witness," consistent with practices followed during prior phases of this proceeding.

7 Pursuant to discussions with counsel for PSE and counsel for Complainants, the confidential Accord and Satisfaction (*i.e.*, "separate confidential bilateral settlement agreements") referred to in paragraph 14.1 of the Stipulation of Settlement should be tendered to the Bench for *in camera* review prior to the hearing. If the Bench determines such agreement, or agreements, should be made part of the record, the Parties will be given an opportunity to propose an amendment to the Protective Order