



STATE OF WASHINGTON

UTILITIES AND TRANSPORTATION COMMISSION

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February 28, 2017

**NOTICE OF OPPORTUNITY TO COMMENT ON
MICROSOFT’S OBJECTION TO, AND MOTION TO DENY, ACCESS TO
CONFIDENTIAL INFORMATION BY NVEC’S WITNESSES O’BRIEN AND KELLEY
(Responses Due By 3:00 p.m., March 7, 2017)
(Microsoft’s Reply to Responses Due By 3:00 p.m., March 14, 2017)**

RE: *Washington Utilities and Transportation Commission v. Puget Sound Energy*, Docket UE-161123

TO ALL PARTIES:

On February 27, 2017, Microsoft Corporation (Microsoft) filed its Objection to, and Motion to Deny, Access to Confidential Information by Northwest Energy Coalition’s (NVEC’s) Witnesses O’Brien and Kelley (Motion). Microsoft objects to the designation by NVEC of Michael H. O’Brien and Dina Dubson Kelley “as expert witnesses who would have access to confidential information in this proceeding.”¹

According to Microsoft, Mr. O’Brien and Ms. Kelley are employed by Renewable Northwest,² “an association whose members include nonregulated independent power producers that participate in competitive energy markets.”³ Microsoft argues that the Commission denied members and representatives of the Northwest and Intermountain Power Producers Coalition access to confidential information, an association similar to Renewable Northwest,⁴ and it should

¹ Motion, ¶ 1 (citation omitted).

² Microsoft states that Mr. O’Brien is a Senior Policy Analyst with Renewable Northwest, and Ms. Kelley is Chief Counsel of the association. *Id.*, ¶ 3.

³ *Id.*, ¶ 4 (citation omitted).

⁴ *See*, Order 05 (Jan. 3, 2017).

likewise deny Renewable Northwest's employees access to confidential, competitively sensitive data.⁵

NOTICE IS GIVEN That parties who wish to respond to Microsoft's Motion must do so by 3:00 p.m., Tuesday, March 7, 2017. NOTICE IS ALSO GIVEN That Microsoft may file a reply to any responses the Commission receives and must do so by 3:00 p.m., Tuesday, March 14, 2017.

MARGUERITE E. FRIEDLANDER
Administrative Law Judge

⁵ *Id.*, ¶ 9.