

**BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

**Dockets UE-190882  
Puget Sound Energy  
Prudency of Outage and Replacement Power Costs**

**PUBLIC COUNSEL DATA REQUEST NO. 338:**

**Re: Rebuttal Testimony of Ronald Roberts, Exh. RJR-4CCT at 19.**

Explain Puget Sound Energy's understanding of the "circumstances that warrant an increase in base penalty" identified by MDEQ.

**Response:**

Puget Sound Energy's understanding of "circumstances that warrant an increase in base penalty" identified by MDEQ are those written by MDEQ on page 2 of the "Department of Environmental Quality – Enforcement Division Penalty Calculation Worksheet":

II. Adjusted Base Penalty,

- A. Circumstances (up to 30% added to Base Penalty) – "When determining the circumstances of the violation, consideration must be given to how much control the source had over the violation, the foreseeability of the violation, whether the source took reasonable precautions to prevent the violation, and whether the source knew or should have known of the requirement that was violated."