

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

WALLA WALLA COUNTRY CLUB,)	DOCKET UE-143932
)	
Complainant,)	ORDER 01
)	
v.)	PREHEARING CONFERENCE
)	ORDER; NOTICE OF HEARING
PACIFIC POWER & LIGHT,)	(Evidentiary Hearing Set for
)	Thursday, September 3, 2015,
Respondent.)	at 9:30 a.m.)
.....)	

1 **BACKGROUND.** On November 20, 2014, the Walla Walla Country Club (Club) filed with the Washington Utilities and Transportation Commission (Commission) a formal complaint against Pacific Power & Light (PP&L or Company). The Club requests that the Commission compel PP&L to disconnect its facilities from Club property under the terms of the Company’s Net Removal Tariff, and order damages or a refund for the difference between the monthly payments made to PP&L and the lower rates the Club would have paid to an alternate power provider, Columbia Rural Electric Association, from December 2012 forward.

2 **CONFERENCE.** On January 20, 2015, the Commission convened a prehearing conference before Administrative Law Judge Rayne Pearson to determine the scope of the issues to be presented in this docket and to adopt a procedural schedule.

3 **APPEARANCES.** Jesse Cowell, Davison Van Cleve, Portland; David Grossman, Minnick-Hayner, P.S., Walla Walla; and Stanley Schwartz, Witherspoon-Kelley, Spokane, represent the Club. Sarah Wallace, PP&L, Portland; and Troy Greenfield, Schwabe, Williamson, & Wyatt, Seattle, represent PP&L.

4 **INTERVENTION.** No party sought to intervene in the proceeding.

5 **CONSENT TO ELECTRONIC SERVICE.** All parties have consented to service electronically. The Commission, therefore, may serve only electronic copies of notices and orders in this docket to the party and representative email addresses on file with the Commission.

6 **DISCOVERY.** Discovery will be conducted under the Commission's discovery rules, WAC 480-07-400 – 425.

7 **PROCEDURAL SCHEDULE.** The parties agreed upon, and the Commission adopts, the preliminary procedural schedule set forth in Appendix B to this Order.

8 **EXHIBITS FOR CROSS-EXAMINATION.** Parties are required to file all proposed cross-examination exhibits by 5:00 p.m. on August 27, 2015. Except as otherwise agreed between parties, proposed cross-examination exhibits must be served on all parties at the time they are filed with the Commission. Two copies must be furnished to the party sponsoring the witness the party intends to cross examine with the exhibits. Parties may waive the right to service of cross-examination exhibits in whole or in part. This may be appropriate, for example, when a proposed exhibit has been previously furnished during the discovery process.

9 The exhibits must be accompanied by an exhibit list and must be organized into sets that are **tabbed, labeled, and grouped** according to the witness the party intends to cross examine with the exhibits. Cross-examination exhibits not conforming to these requirements may be rejected. Each party's cross-examination exhibit list must be filed with the Commission and served on all parties by 5:00 p.m. on August 27, 2015.

10 **CROSS-EXAMINATION TIME ESTIMATES.** Each party must provide a list of witnesses the party intends to cross-examine at the evidentiary hearing and an estimate of the time that party anticipates the cross-examination of that witness will take. Cross-examination time estimates are not filed but must be provided to the administrative law judge and the other party by 5:00 p.m. on August 27, 2015.

11 **NOTICE OF HEARING.** The Commission will hold an evidentiary hearing in this matter commencing on **Thursday, September 3, 2015, at 9:30 a.m., in Room 206, Second Floor, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.**

12 **DOCUMENT PREPARATION AND FILING REQUIREMENTS.** Parties must file an original plus **four (4) copies** of the unredacted versions of all pleadings, motions, briefs, and other prefiled materials. Parties must also file the original and

one copy of any redacted version(s). 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.

- 13 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.
- 14 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, a flash drive, 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.
- 15 **ELECTRONIC SUBMISSION OF DOCUMENTS.** Parties may submit documents electronically to the Commission on the filing deadline to expedite the filing process, but must file an original, plus four (4) paper copies, of the documents with the Commission by 12:00 noon on the first business day following the filing deadline established in the procedural schedule. WAC 480-07-145(6). Parties must submit documents electronically through the Commission's Web Portal (www.utc.wa.gov/efiling) or by e-mail to records@utc.wa.gov. Parties must simultaneously provide e-mail courtesy copies of filings to Judge Pearson at rpearson@utc.wa.gov, as well as to the parties to the proceeding. Parties may agree to waive the requirement to serve paper copies of all documents on each other and may serve such copies electronically if they memorialize such an agreement by letter and provide a courtesy copy of the letter to the Commission.
- 16 **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 360-664-1355.

- 17 **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 January 21, 2015.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

RAYNE PEARSON
Administrative Law Judge

APPENDIX A

PARTIES' REPRESENTATIVES
DOCKET UE-143932

PARTY	REPRESENTATIVE	PHONE	FACSIMILE	E-MAIL
Walla Walla Country Club	Jesse E. Cowell Davison Van Cleve 333 SW Taylor, Suite 400 Portland, OR 97204	503-241-7242	503-241-8160	jec@dvclaw.com
	David Grossman Minnick-Hayner, P.S. P.O. Box 1757 Walla Walla, WA 99362	509-527-3500		grossman@minnickhayner.com
	Stanley M. Schwartz Witherspoon-Kelley 422 W. Riverside Ave., Suite 1100 Spokane, WA 99201	509-624-5265	509-458-2728	sms@witherspoonkelley.com
Pacific Power & Light	Sarah K. Wallace Pacific Power & Light Company 825 NE Multnomah, Suite 1800 Portland, OR 97232	503-813-5865		sarah.wallace@pacificorp.com
	Troy Greenfield Schwabe, Williamson & Wyatt 1420 5 th Ave., Suite 3400 Seattle, WA 98101	206-622-1711	206-292-0460	tgreenfield@schwabe.com

APPENDIX B
PROCEDURAL SCHEDULE
DOCKET UE-143932

EVENT	DATE
Complainant Testimony	June 24, 2015
Company Testimony	July 14, 2015
Complainant Rebuttal Testimony	August 4, 2015
Discovery Cutoff	August 13, 2015
Evidentiary Hearing	September 3, 2015
Simultaneous Briefs	October 2, 2015
Reply Briefs	October 23, 2015