

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION,

Complainant,

v.

PUGET SOUND ENERGY,

Respondent.

DOCKET PG-160924

ORDER 01

PREHEARING CONFERENCE
ORDER; NOTICE OF HEARING
**(Set for April 19, 2017,
and April 20, 2017)**

- 1 **NATURE OF PROCEEDING.** The Washington Utilities and Transportation Commission (Commission) initiated a complaint against Puget Sound Energy (PSE) as a result of Commission regulatory staff's (Staff) investigation into a natural gas explosion that occurred in the vicinity of 8411 Greenwood Ave. N, Seattle, Washington, on March 9, 2016.
- 2 **CONFERENCE.** The Commission convened a prehearing conference in this docket at Olympia, Washington on November 1, 2016, before Administrative Law Judge Gregory J. Kopta.
- 3 **APPEARANCES.** James F. Williams and David Steele, Perkins Coie LLP, Seattle, Washington, represent PSE. Lisa W. Gafken, Assistant Attorney General, Seattle, Washington, represents the Public Counsel Unit of the Washington Office of the Attorney General (Public Counsel). Sally Brown and Julian Beattie, Assistant Attorneys General, Olympia, Washington, represent Staff.¹ Contact information provided at the conference for the parties' representatives is attached as Appendix A to this order.
- 4 **CONSENT TO ELECTRONIC SERVICE.** All parties have agreed 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.

¹ In formal proceedings, such as this, the Commission's regulatory staff participates like any other party, while the Commissioners make the decision. To assure fairness, the Commissioners, the presiding administrative law judge, and the Commissioners' policy and accounting advisors do not discuss the merits of this proceeding with the regulatory staff, or any other party, without giving notice and opportunity for all parties to participate. *See* RCW 34.05.455.

5 **DISCOVERY.** The parties may conduct discovery pursuant to the Commission’s discovery rules, WAC 480-07-400 – 425. The Commission urges the parties to work cooperatively together to avoid having to bring discovery matters forward for formal resolution.

6 **PROCEDURAL SCHEDULE.** The parties agreed on a procedural schedule during the conference. The Commission adopts this procedural schedule, which is listed below, and attached to this Order as Appendix B:

PSE Depositions of Staff	November 18, 2016
Settlement Meeting	December 1, 2016
Staff Initial Testimony	January 17, 2017
PSE and Public Counsel Response Testimony	February 28, 2017
Staff Rebuttal and PSE/Public Counsel Cross-Answering	March 28, 2017
Discovery Cut-Off	April 4, 2017
Cross-Examination Exhibits	April 14, 2017
Evidentiary Hearing	April 19-20, 2017
Simultaneous Post-Hearing Briefs	May 25, 2017

7 **DOCUMENT FILING REQUIREMENTS.** Parties must file all pleadings, motions, briefs, and other prefiled materials in compliance with all of the following requirements:

- (a) Parties must submit electronic copies in native Microsoft format (Word, Excel, etc.) and searchable Adobe Acrobat (.pdf) of all documents by 5:00 p.m. on the filing deadline established in the procedural schedule (or other deadline as applicable) unless the Commission orders otherwise. If any of the documents contain information that is designated as confidential or highly confidential, the party must also file an electronic copy (in Adobe Acrobat (.pdf) of the redacted version of each such document. Parties must follow WAC 480-07-140(5) in organizing and identifying electronic files. Parties may submit documents electronically through the Commission’s Web Portal (www.utc.wa.gov/e-filing) or by email to records@utc.wa.gov.
- (b) Parties must file **four** paper copies (with original signatures, if applicable) of the documents with the Commission by 5:00 p.m. on the first business day

following the filing deadline as provided in WAC 480-07-145(6). The documents must conform to the format and publication guidelines in WAC 480-07-395 and WAC 480-07-460. All hard copy 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.

- (c) Parties must electronically serve the other parties and provide courtesy electronic copies of filings to the presiding administrative law judge (gkopta@utc.wa.gov) by 5:00 p.m. on the filing deadline unless the Commission orders otherwise. If parties are unable to email copies, they may furnish electronic copies by delivering them on a flash drive, DVD, or CD.

- 8 **EXHIBITS FOR CROSS-EXAMINATION.** Parties are required to file with the Commission and serve all proposed cross-examination exhibits by **5 p.m. on Friday, April 14, 2017**. The Commission requires electronic copies in native format, if available, and searchable Adobe Acrobat (.pdf) and **four** paper copies of the exhibits. If any of the exhibits contain information that is designated as confidential or highly confidential, the party must also file one electronic copy (in Adobe Acrobat (.pdf)) and one paper copy of the redacted version of each such exhibit. The exhibits must be grouped according to the witness the party attends to cross examine with the exhibits. The paper copies of the exhibits also must be organized into sets that are tabbed and labeled.
- 9 **EXHIBIT LISTS.** Each party must file a list of all exhibits the party intends to introduce into the evidentiary record, including all prefiled testimony and exhibits, as well as cross-examination exhibits. The parties must file and serve their exhibit lists by **5 p.m. on Friday, April 14, 2017**.
- 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. Parties should not file witness lists or cross-examination time estimates but must provide them to the administrative law judge and the other parties by **5 p.m. on Friday, April 14, 2017**.
- 11 **NOTICE OF HEARING.** The Commission will hold an evidentiary hearing in this matter beginning on **Wednesday, April 19, 2017, at 9:30 a.m.**, and continuing on **Thursday, April 20, 2017, from 9:30 a.m.**, in the Commission's Hearing Room, Second

Floor, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.

- 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 has limited ability to provide dispute resolution services. If you wish to explore those services, please contact Gregory J. Kopta, Director, Administrative Law Division (gkopta@utc.wa.gov or 360-664-1355).
- 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 November 2, 2016.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

GREGORY J. KOPTA
Administrative Law Judge

APPENDIX A

**PARTIES' REPRESENTATIVES
DOCKET PG-160924**

PARTY	REPRESENTATIVE	PHONE	E-MAIL
Puget Sound Energy (PSE) – Respondent	James F. Williams Perkins Coie LLP 1201 Third Ave, Ste. 4900 Seattle, WA 98101-3099	(206) 359-8000	JWilliams@perkinscoie.com
	David S. Steele		DSteele@perkinscoie.com
	Carol Kness		CKness@perkinscoie.com
	Debbie Coker		DCoker@perkinscoie.com
	Kendall Cammermeyer Puget Sound Energy		Kendall.cammermeyer@pse.com
	Sarah Mortensen		Sarah.mortensen@pse.com
Commission Staff	Julian Beattie 1400 S. Evergreen Park Drive SW PO Box 40128 Olympia, WA 98504-0128	(360) 664-1225	jbeattie@utc.wa.gov
	Sally Brown	(360) 664-1193	sbrown@utc.wa.gov
	Krista Gross		kgross@utc.wa.gov
	Betsy DeMarco		bdemarco@utc.wa.gov
Public Counsel	Lisa W. Gafken Public Counsel Unit Office of Attorney General 800 Fifth Avenue Suite 200 Seattle, WA 98104-3188	(206) 464-6595	Lisa.gafken@atg.wa.gov
	Corey Dahl		CoreyD@atg.wa.gov
	Chanda Mak		ChandaM@atg.wa.gov

APPENDIX B
PROCEDURAL SCHEDULE
DOCKET PG-160924

EVENT	DATE
PSE Depositions of Staff	November 18, 2016
Settlement Conference (parties only)	December 1, 2016
Staff Initial Testimony	January 17, 2017
PSE and Public Counsel Response Testimony and Exhibits	February 28, 2017 ²
Staff Rebuttal Testimony and Exhibits; PSE/Public Counsel Cross-Answering Testimony and Exhibits	March 28, 2017 ³
Discovery Cut-Off	April 4, 2017
Cross-Examination Exhibits, Witness Lists, and Time Estimates	April 14, 2017
Evidentiary Hearing	April 19-20, 2017
Simultaneous Post-Hearing Briefs	May 25, 2017

² Response time to data requests will be 7 business days after this date.

³ Response time to data requests will be 5 business days after this date.