

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the Proposal by)	
)	
PUGET SOUND POWER & LIGHT)	
COMPANY)	DOCKET NO. UE-951270
)	
to Transfer Revenues from PRAM Rates)	
to General Rates.)	
.....)	
)	
In the Matter of the Application of)	
)	
PUGET SOUND POWER & LIGHT)	
COMPANY and WASHINGTON NATURAL)	DOCKET NO. UE-960195
GAS COMPANY)	
)	
for an Order Authorizing the Merger of)	
WASHINGTON ENERGY COMPANY and)	EIGHTH SUPPLEMENTAL
WASHINGTON NATURAL GAS COMPANY)	ORDER DENYING JOINT
with and into PUGET SOUND POWER &)	APPLICANTS' MOTION
LIGHT COMPANY, and Authorizing the)	TO STRIKE PREFILED
Issuance of Securities, Assumption of)	TESTIMONY OF WPUDA
Obligations, Adoption of Tariffs, and)	AND SNOHOMISH PUD
Authorizations in Connection Therewith.)	
.....)	

This is a consolidated proceeding. Docket No. UE-951270 is a proposal by Puget Sound Power & Light Company (Puget) to transfer to Puget's permanent rate schedules, currently-collected revenue of approximately \$165.5 million authorized in the PRAM ("Periodic Rate Adjustment Mechanism") under Schedule 100. Docket No. UE-960195 is the application of Puget Sound Power & Light Company and Washington Natural Gas Company (WNG) for a Commission order authorizing the merger of Washington Energy Company and Washington Natural Gas Company with and into Puget Sound Power & Light Company, and authorizing the issuance of securities, assumption of obligations, adoption of tariffs, and authorizations in connection therewith. These matters were consolidated by an Order Instituting Investigation, Order of Consolidation, and Notice of Prehearing Conference entered April 10, 1996.

On September 27, 1996, the Joint Applicants filed a Motion to Strike the prefiled direct testimony of Tom Anderson and the prefiled direct testimony of Carol Close Opatrny. The motion contends that the Washington Public Utility District Association (WPUDA) and Public Utility District No. 1 of Snohomish County (Snohomish PUD) improperly have filed separate, independent direct cases in violation of the Third Supplemental Order's requirement that they (together with the Public Power Counsel) consolidate their presentations.

The Third Supplemental Order directed the parties as follows:

WPUDA, Snohomish PUD, and PPC are required to consolidate their presentations at hearing. That means that only one set of pre-filed materials may be filed, and only one attorney from among the three may cross-examine each witness. The Commission also may limit participation by those intervenors during the hearings to competitive issues which the Commission determines in the course of this proceeding are relevant to the Commission's decision on the proposed merger. The three intervenors may submit separate briefs.

Order pp. 7-8.

WPUDA and Snohomish PUD did not present consolidated prefiled testimony. In directing consolidated presentations, it generally is the Commission's intention that the parties present a single witness per issue. The prefiled testimony of Mr. Anderson and Ms. Opatrny covers much of the same ground. The Commission sought to avoid such duplication. However, the Commission is not convinced that the Motion to Strike seeks an appropriate sanction. Striking both witnesses would leave these two parties' factual assertions and expert opinions out of the record. The motion should be denied.

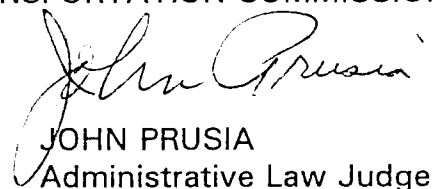
At hearing, the two witnesses will be considered witnesses of all three parties, meaning that none of the three parties may cross examine either witness. The Commission will require that WPUDA, Snohomish PUD, and Public Power Counsel strictly comply with the Third Supplemental Order's requirement that only one attorney from among the three may cross-examine other parties' witnesses.

ORDER

THE COMMISSION ORDERS That the motion of the Joint applicants to strike the prefiled direct testimony of Tom Anderson and the prefiled direct testimony of Carol Close Opatrny is denied.

DATED at Olympia, Washington, and effective this 30th day of September 1996.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION


JOHN PRUSIA
Administrative Law Judge