

**Docket Nos. UE-220053 and UG-220054 (Consolidated) -  
Vol. II**

**WUTC v. Avista Corporation**

**February 28, 2022**



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BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION

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WASHINGTON UTILITIES AND ) DOCKETS UE-220053 and  
TRANSPORTATION COMMISSION, ) UG-220054  
) (Consolidated)  
Complainant, )  
) )  
vs. )  
) )  
AVISTA CORPORATION, d/b/a )  
AVISTA UTILITIES, )  
Respondent.

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VIRTUAL PREHEARING CONFERENCE

VOLUME II

Pages 42-70

ADMINISTRATIVE LAW JUDGE ANDREW J. O'CONNELL

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Washington Utilities and Transportation Commission  
621 Woodland Square Loop Southeast  
Lacey, Washington 98503

(All participants appeared via videoconference.)

DATE TAKEN: FEBRUARY 28, 2022

REPORTED BY: ROSE DETLOFF, RPR, CCR #21036100

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1 LACEY, WASHINGTON; FEBRUARY 28, 2022

2 1:36 p.m.

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4 P R O C E E D I N G S

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6 JUDGE O'CONNELL: Let's be on the record.

7 Good afternoon. The time is approximately  
8 1:30 p.m. My name is Andrew O'Connell. I am an  
9 administrative law judge with the Washington Utilities  
10 and Transportation Commission, and I'll be presiding in  
11 this matter along with the Commissioners.

12 We are here today for a second virtual  
13 prehearing conference in Avista's 2022 general rate  
14 case, which is consolidated Dockets UE-220053 and  
15 UG-220054.

16 Okay. Let's take appearances on the record,  
17 starting with the Company.

18 MR. MEYER: Good afternoon, Your Honor.  
19 David Meyer on behalf of Avista.

20 JUDGE O'CONNELL: Thank you.

21 And for Staff?

22 MS. CAMERON-RULKOWSKI: Good afternoon, Your  
23 Honor. Jennifer Cameron-Rulkowski, Assistant Attorney  
24 General, appearing on behalf of Staff.

25 And with me today is Jeff Roberson, also

1 Assistant Attorney General.

2 JUDGE O'CONNELL: Thank you.

3 And for Public Counsel?

4 MS. SUETAKE: Good afternoon. Nina Suetake,  
5 Assistant Attorney General for Public Counsel Unit.

6 And today, I'm joined by Assistant Attorney  
7 General, Ann Paisner.

8 JUDGE O'CONNELL: Thank you.

9 For the Alliance of Western Energy Consumers?

10 MR. PEPPLER: Good afternoon, Judge  
11 O'Connell. Tyler Pepple for the Alliance of Western  
12 Energy Consumers.

13 JUDGE O'CONNELL: Thank you.

14 For Northwest Energy Coalition?

15 MR. SANGER: Irion Sanger, appearing on  
16 behalf of the Northwest Energy Coalition.

17 JUDGE O'CONNELL: Thank you.

18 For The Energy Project?

19 MR. ZAKAI: Good morning, Your Honor. Yochi  
20 Zakai with Shute Mihaly & Weinberger, appearing on  
21 behalf of The Energy Project.

22 JUDGE O'CONNELL: And for the Sierra Club?

23 MS. SMITH: Gloria Smith, for Sierra Club.

24 JUDGE O'CONNELL: Thank you.

25 For Small Business Utility Advocates?

1 MR. WINMILL: Hi, Your Honor. Jeff Winmill  
2 on behalf of Small Business Utility Advocates.

3 JUDGE O'CONNELL: Thank you.

4 And for Walmart?

5 MS. BALDWIN: Thank you. This is Vicki  
6 Baldwin on behalf of Walmart.

7 JUDGE O'CONNELL: Thank you.

8 I mentioned briefly before we went on the  
9 record that there were three things I wanted to address  
10 at this conference.

11 First, I want to address Walmart's late-filed  
12 petition to intervene. I want to then address paper  
13 copies of filings in this case with new direction. And  
14 last, I wanted to discuss intervenor funding and set  
15 certain finite deadlines for those items.

16 So first, regarding Walmart, I have reviewed  
17 Walmart's petition, and I am also aware that Walmart has  
18 a history of participating in general rate cases before  
19 the Commission. The Commission received responses from  
20 Avista and Staff to Walmart's late-filed petition to  
21 intervene. Neither objected to Walmart's intervention.

22 Before I make a decision, does any party want  
23 to be heard regarding Walmart's petition?

24 MR. ZAKAI: Your Honor, The Energy Project  
25 does not object to Walmart's intervening.



1 JUDGE O'CONNELL: Thank you Mr. Zakai.

2 Okay. Hearing no objection from any of the  
3 parties, I'm going to grant Walmart's petition to  
4 intervene and memorialize that decision in the  
5 prehearing conference order.

6 I am also going to update the contact list that  
7 was contained in Appendix A to the first prehearing  
8 conference order with the contact information for  
9 Walmart as well as certain corrections to any of the  
10 e-mails that were contained in that list. And if there  
11 are any corrections that need to be made that I've not  
12 already been made aware of, please e-mail me and let me  
13 know.

14 Next, I want to address paper copies in this  
15 case. In the prehearing conference order, there was  
16 confusion about when the Commission will require paper  
17 copies to be filed in this docket. Thank you, Mr. Zakai  
18 and Ms. Suetake, for pointing that out for me. And in  
19 the e-mails with the parties as recently as this  
20 morning, I had indicated to you that paper copies would  
21 be required only for testimony and exhibits. I'm going  
22 to alter that guidance again today.

23 The Commission has been moving away from paper  
24 copies for some time, and now for this case, the  
25 Commission will not be requiring the filing of any paper

1 copies. And I will memorialize that decision in the  
2 second prehearing conference order as well.

3 My understanding is that this will be  
4 consistent with other general rate cases going on at  
5 this time. And I do think there's value to having the  
6 same filing requirements across the proceedings that are  
7 going on at the same time, especially given the size and  
8 importance of both of the cases.

9 Are there any questions regarding paper copies  
10 or filing requirements of any kind?

11 Okay. Now I'll move on to the schedule for  
12 intervenor funding filings. I want to -- I think I  
13 understand the deadlines that need to be set and the  
14 filings to expect from the parties, but I do believe  
15 that -- even though I have reviewed the intervenor  
16 funding agreement and the Commission order approving  
17 that agreement, I want to hear from the parties to make  
18 sure that I haven't missed anything and that we are  
19 addressing everything that we need to at the correct  
20 time.

21 Now, my understanding is that a number of the  
22 deadlines become triggered when the Commission takes  
23 action. So, for example, the budget -- the filing of  
24 budgets is to be filed 30 days after the Commission  
25 makes the decision on case certification.

1           Let me back up a step, and I apologize for  
2 jumping ahead of myself.

3           In the agreement, it says that case  
4 certification and the notice from the parties should be  
5 filed with the Commission by the prehearing conference  
6 or at a date and time specified by the Commission  
7 because it allows that flexibility for the Commission to  
8 establish a different deadline than the prehearing  
9 conference. In this case, I intend to set a future date  
10 not too far in the future for the filing of case  
11 certification and notices from the parties.

12           I'm also aware that the PSE general rate case  
13 is occurring concurrently, and they're going to be  
14 similar filings in both cases. I want to make sure that  
15 we keep this case on track, and because Avista's case  
16 was filed first, I want to give some separation in the  
17 time of deadlines between when things are filed in this  
18 case and when things will be filed in the PSE general  
19 rate case.

20           So my thinking and my -- I'd like to ask the  
21 parties if it is reasonable to set a deadline date of  
22 one week from today, next Monday, as a filing deadline  
23 for case certification and notices from the parties.

24           Let me first start with -- I would like to hear  
25 from the Company, Mr. Meyer. Perhaps I should ask the

1 parties who expect to be making these filings if that  
2 amount of time would be sufficient.

3 And Mr. Pepple, I am aware that AWEC has  
4 already filed, and thank you. And I'm going to allow  
5 AWEC to amend its filing if you decide it's necessary.

6 Would either of the parties like to be heard  
7 about that deadline?

8 MR. ZAKAI: Your Honor, Yochi Zakai for The  
9 Energy Product.

10 That's reasonable. The Energy Project is  
11 prepared to file today, if necessary, because we thought  
12 going into today that that would be the requirement, so  
13 we have everything ready to go at your request.

14 But I'm not sure about the other parties. So  
15 we certainly would want to leave enough time to make  
16 sure that other parties are able to comply with the  
17 funding agreement's requirements.

18 JUDGE O'CONNELL: Let me turn to Northwest  
19 Energy Coalition, Sierra Club, and AWEC.

20 Mr. Sanger?

21 MR. SANGER: Thank you.

22 Northwest Energy Coalition is still evaluating  
23 whether or not we would seek intervenor funding, and we  
24 have an internal deadline to figure that out by Friday  
25 of this week. So it would be good if we could get to

1 the middle of next week to be able to gather everything  
2 up and make the filing if we decide to seek intervenor  
3 funding.

4 JUDGE O'CONNELL: Okay, thank you.

5 Okay. For the Alliance of Western Energy  
6 Consumers, Mr. Pepple?

7 MR. PEPPLER: Well, Judge, as you noted,  
8 we've already filed. So we'll defer to other parties in  
9 terms of what they believe is reasonable.

10 JUDGE O'CONNELL: Okay, thank you.

11 For the Sierra Club, Gloria?

12 MS. SMITH: Thank you, Your Honor.

13 Sierra Club won't be seeking intervenor  
14 funding.

15 JUDGE O'CONNELL: Okay, thank you.

16 And for Small Business Utility Advocates, Jeff?

17 MR. WINMILL: Hi, Your Honor.

18 Yes, next week is appropriate. We're also  
19 prepared to file today as necessary.

20 One thing that we would notice -- that maybe  
21 like, I think, Sierra Club -- we are still attempting to  
22 identify experts among other things. So I guess that  
23 will be addressed in the budget that's due 30 days  
24 following the certification.

25 But nonetheless, we're prepared to file by next

1 week.

2 JUDGE O'CONNELL: Thank you.

3 Yes, my understanding is that there's an  
4 expectation the Commission will try to issue a decision  
5 within 14 days after receiving the case certification  
6 and notices from the parties. And then once the  
7 Commission makes that determination, it will trigger a  
8 30-day window for the filing of the budgets.

9 MR. WINMILL: Thank you.

10 JUDGE O'CONNELL: Yes, thank you.

11 And I'm saying this out loud in the hopes that  
12 if I'm mistaken, that someone is going to correct me.

13 MR. ZAKAI: Yes, Your Honor, if you'd like  
14 to --

15 JUDGE O'CONNELL: Go ahead, Mr. Zakai.

16 MR. ZAKAI: Thank you, Judge O'Connell.

17 Yeah, as I read the Participant Funding  
18 Agreement, Section 6.3, the deadline is 30 days after  
19 the prehearing conference by default. But if no  
20 prehearing conference is held, then the deadline is 30  
21 days after the Commission decides on the request for  
22 case certification.

23 Of course the agreement also preserves the  
24 Commission's discretion to set any other date as the  
25 Commission designates. And in this particular

1 circumstance, TEP thinks it would be reasonable to set  
2 the date as 30 days after the Commission decides on case  
3 certification.

4 JUDGE O'CONNELL: Okay, thank you.

5 I have not specifically asked Walmart of all  
6 the intervenors, so I am going to direct my next  
7 question to Walmart.

8 Ms. Baldwin, is Walmart planning to seek  
9 intervenor funding?

10 MS. BALDWIN: No, we do not. I do not  
11 believe we're eligible, but we do not.

12 JUDGE O'CONNELL: Okay, thank you.

13 Mr. Meyer, let me come back to the Company.  
14 You've been very much involved with the development of  
15 the agreement. I would appreciate hearing from you  
16 about the filing deadlines and how this is expected to  
17 work.

18 MR. MEYER: Thank you. I think the process  
19 that you've laid out works. You're giving -- the  
20 Commission's giving all kinds of flexibility here. And  
21 so we don't have any problem with a seven-day deadline  
22 for those who haven't filed their petition and notice of  
23 intent.

24 And then after that, there's a 14-day period  
25 within which the Commission should act on those -- on

1 that petition and notice of intent. And then I think a  
2 fair reading of the agreement -- as was just  
3 discussed -- 30 days, and then after that decision,  
4 which is the 14-day period decision, for the filing of  
5 the proposed budget.

6 JUDGE O'CONNELL: Okay.

7 MR. MEYER: Now -- okay, go ahead.

8 JUDGE O'CONNELL: No, Mr. Meyer, please go  
9 ahead.

10 MR. MEYER: Then, of course, the Commission  
11 has to act on the proposed budget that gets filed, and  
12 that needs to be within 30 days of the proposed budget.  
13 So that's the last shoe to fall, if you will.

14 JUDGE O'CONNELL: Is there also -- is there  
15 a date that we need to set closer to the end of the case  
16 about confirming the budgets? Or is that something that  
17 happens even after the general rate case is concluded?

18 MR. MEYER: Well, it's after. And so you'll  
19 act on the proposed budgets, and if there are conflicts  
20 with overlapping budgets, you'll recognize that in your  
21 decision. But you will act on it and approve those  
22 budgets.

23 And leaving aside for a moment changes to the  
24 budget or interim funding, when the case concludes, then  
25 there's a period of time within which -- and I think



1 it's 60 days -- in which parties must submit their  
2 request for funding. And that request for funding will  
3 contain all of the documentation of what they actually  
4 spent, not what they proposed to spend. And that gets  
5 reviewed for items following -- which then, you issue an  
6 order approving that itemized budget, and then we pay  
7 according to that order.

8 JUDGE O'CONNELL: Okay. Let me turn back  
9 again to the other parties.

10 The Energy Project, I know that you've been  
11 involved quite a bit with the development of this  
12 agreement. Is this something that is expected by the  
13 parties -- is the Commission supposed to include  
14 something in the final order discussing the submission  
15 of funding requests?

16 MR. MEYER: Who is that for?

17 JUDGE O'CONNELL: Mr. Meyer or Mr. Zakai.

18 MR. PEPPLER: Judge O'Connell, if you don't  
19 mind -- I'm happy to let Mr. Zakai speak.

20 I think Mr. ffitch was more involved in the  
21 funding agreement for The Energy Project, but I worked  
22 with him pretty closely, so I'm happy to also respond to  
23 that if you like.

24 JUDGE O'CONNELL: I apologize for putting  
25 anyone on the spot. I am just trying to plan for what I

1 need to make sure is on my radar.

2 So yes, please, Mr. Pepple, go ahead.

3 MR. ZAKAI: I'm happy to defer to  
4 Mr. Pepple. Thank you.

5 MR. PEPPLER: So my understanding is you  
6 would not need to put anything in the final order for  
7 the case.

8 Essentially, how it works is that parties will  
9 submit the proposed budget, as Mr. Meyer said. The  
10 Commission will rule on that proposed budget, but that  
11 does not authorize any funding at that point. It's only  
12 at the end of the case, within 60 days after the final  
13 order has become nonappealable, the party will submit a  
14 request for payment, and then they will itemize all of  
15 those expenses.

16 And then after receiving the request for  
17 payment, then the Commission would issue an order either  
18 approving or denying the request. So that would be a  
19 separate order.

20 JUDGE O'CONNELL: Okay. So I think -- and  
21 I'm going to open up for anyone who would like to be  
22 heard in just a moment.

23 But I think my next step is to include in the  
24 second prehearing conference the filing deadline for  
25 case certification and notice of intent. And I'm going

1 to take the recommendation that I set that deadline for  
2 next Wednesday, March 9th, so moving my initial  
3 suggestion of March 7th to March 9th.

4 Is there anyone else who would like to be  
5 heard? Or is there anything else that we need to  
6 discuss as far as the intervenor funding scheduling at  
7 this time?

8 MR. ZAKAI: Yes, Your Honor. This is Yochi  
9 Zakai for The Energy Project.

10 I think it would be appropriate for the  
11 prehearing conference order to also designate when the  
12 proposed budgets are due because I think without the  
13 Commission explicitly designating another time, the date  
14 by default would be 30 days after this prehearing  
15 conference.

16 JUDGE O'CONNELL: Okay, thank you. I will  
17 specify in the prehearing conference order that it will  
18 be due 30 days after the Commission makes its decision.

19 Is there anything else I need to be clear about  
20 in the order as far as the intervenor funding issue and  
21 scheduling goes?

22 MR. MEYER: Not as far as scheduling goes.

23 This is a matter of some discretion, but  
24 clearly the intervenor funding agreement recognizes that  
25 parties will try and cooperate among themselves so not

1 to overlap and not to spend, you know -- let me start  
2 over.

3 They will cooperate in arriving at budgets  
4 because you'll have several lines for that  
5 participation, not the disadvantaged prioritized fund,  
6 but the other one. So just some kind of encouragement  
7 for the parties to meet and confer as soon as possible  
8 to discuss budgets. That happens in Oregon, and I think  
9 it happens pretty well at least in the Avista dockets.

10 JUDGE O'CONNELL: Thank you.

11 For the record, that was Mr. Meyer.

12 I had not planned on including in the schedule  
13 any conference of the parties who are intending to  
14 submit budgets.

15 Mr. Meyer, is that -- are you recommending that  
16 I consider doing that?

17 MR. MEYER: Well, I wasn't suggesting that  
18 it be as formal as directing the parties to meet, but  
19 just some kind of expectation that the parties will  
20 attempt to coordinate their spending in some way. It's  
21 not binding. There's no requirement, but just -- it's a  
22 hope and a prayer.

23 JUDGE O'CONNELL: I attended the  
24 Commission's open meeting last Thursday in which this  
25 was brought up, and I do remember that at least being a

1 topic that was mentioned -- that the parties were going  
2 to cooperate.

3 Is there, in the agreement, language that  
4 requires such cooperation, Mr. Meyer? I'm asking  
5 because I don't recall and I'd like to ask.

6 MR. MEYER: Yeah, that's a fair question.  
7 I'm just going through it now.

8 MR. ZAKAI: If I may assist, Your Honor.

9 JUDGE O'CONNELL: Yes, Mr. Zakai.

10 MR. ZAKAI: Yes, Your Honor. Section 6.6 of  
11 the agreement asks for parties to cooperate including  
12 before submitting proposed budgets. I think that it's  
13 adequately -- the need for cooperation is adequately  
14 included in the agreement.

15 Commission direction is always welcome, but if  
16 you do not feel so inclined to provide that, the  
17 agreement already includes sufficient encouragement.

18 JUDGE O'CONNELL: Okay. Thank you.

19 Well, we've covered everything that I had  
20 intended to bring up for the parties to be heard about.

21 But I want to open the discussion up to the  
22 parties for if there's anything else that we should  
23 discuss as it regards to intervenor funding at this  
24 second prehearing conference.

25 MR. WINMILL: Your Honor, Jeff Winmill, on

1 behalf of SBUA.

2 JUDGE O'CONNELL: Go ahead, Jeff.

3 MR. WINMILL: I had a question that perhaps  
4 may be -- I don't know if you could answer, Your Honor,  
5 or perhaps some of the other parties.

6 But SBUA is not currently a signatory to the  
7 interim funding agreement that was approved by the  
8 Commission or -- and it looks like filed in this docket.

9 Would the appropriate thing to do, then, for  
10 SBUA to file a signature page to that agreement in this  
11 docket, or perhaps in a different one? Does that make  
12 sense?

13 JUDGE O'CONNELL: Yes, I understand your  
14 question.

15 The only thing I know for sure is that, yes,  
16 you should submit a signature page. I think it would be  
17 sufficient for you to submit in this docket. However,  
18 the intervenor funding agreement was approved in another  
19 docket.

20 MR. WINMILL: Yeah, that's my question.

21 JUDGE O'CONNELL: Let me turn to Mr. Meyer.

22 My understanding from listening to the open  
23 meeting was that the updated agreement and updated  
24 signature pages were submitted in that docket that was  
25 addressed at the open meeting; is that correct?

1           MR. MEYER: That is correct. The reason I  
2 submitted last Friday what I had in hand was to make  
3 sure that in this docket, this rate case docket, there  
4 was something of record informing you and all the  
5 parties of their obligations. I just recommend that you  
6 file your signature page in both dockets at this point.

7           Next time around, when we have a little more  
8 experience, then maybe the parties can just have one on  
9 file with the underlying intervenor funding agreement.

10          MR. WINMILL: That's perfect. Thank you,  
11 David.

12          JUDGE O'CONNELL: Thank you, Mr. Meyer.

13          MR. ZAKAI: Your Honor, if I could address  
14 this issue as well.

15          JUDGE O'CONNELL: Please go ahead,  
16 Mr. Zakai.

17          MR. ZAKAI: Yes. At least I think from The  
18 Energy Project's perspective, we contemplated that all  
19 signatory pages would be in the generic docket only, and  
20 that the funding agreement itself only needs to be in  
21 the generic docket only. And then the Commission's  
22 order can reference that docket which approved the  
23 participant funding agreement and has all those filings.

24                 From a practical perspective, I would encourage  
25 the Commission and parties to think about what it means

1 to have such an agreement and signature pages filed in  
2 each general rate case before it, and for the purposes  
3 of administrative efficiency, that might not be  
4 necessary. Thank you.

5 JUDGE O'CONNELL: Thank you, Mr. Zakai.  
6 That makes good sense to me to keep it all in that one  
7 generic docket.

8 So for SBUA, Jeff, please do -- if you sign --  
9 if you were to submit the signature page, please include  
10 it in that generic docket.

11 MR. WINMILL: Will do, sir.

12 JUDGE O'CONNELL: Okay.

13 Okay. Is there anything --

14 MR. MEYER: Your Honor?

15 JUDGE O'CONNELL: Mr. Meyer.

16 MR. MEYER: And that resolution is just fine  
17 by me, but if -- and it's really -- it's not a matter of  
18 a special concern to Avista, but there are parties, even  
19 in this case, that may not have been parties to that  
20 generic docket. And they may want to -- so they won't  
21 be served with a petition by any other party in the  
22 generic case -- or not petition, but a signature page in  
23 the generic case.

24 If that matters that they are not aware of  
25 another signature page being filed in the generic case,



1 then we're just fine. I just wanted to avoid confusion,  
2 because keep in mind not everyone was involved in that  
3 generic case.

4 MR. ZAKAI: Your Honor, if I may respond.

5 JUDGE O'CONNELL: One moment.

6 I think you both make a lot of sense. Before  
7 Mr. Zakai -- before we go around again, I'd like to ask  
8 if there are any other parties who want to be heard  
9 regarding where this is properly filed so that everyone  
10 is aware of who is requesting intervenor funding and who  
11 has submitted pages.

12 Okay. Mr. Zakai?

13 One moment. Ms. Suetake, thank you.

14 MS. SUETAKE: You know, I had been concerned  
15 about this at the outset of intervenor funding  
16 proceeding, so thank you for raising it here.

17 Is there -- and I think it needs a larger fix  
18 at some point. But in the interim, would it be possible  
19 for the parties to file in both places? Or does that  
20 not work? I'm not sure. Or serve -- sorry, serve -- on  
21 both this docket and file it in the other proceeding.

22 JUDGE O'CONNELL: Okay, thank you.

23 Mr. Zakai?

24 MR. ZAKAI: Thank you, Your Honor.

25 When parties request case certification and

1 file their notice of intent to request their fund grant,  
2 the agreement requires that that document be served on  
3 all parties in the proceeding.

4           So, for example, in this general rate case, if  
5 a party decides to request a case certification and  
6 request participant funding, that that notice of intent  
7 would be served on all parties in this case. And that  
8 would provide, I believe, all parties in this case  
9 sufficient notice as was intended by the agreement.

10           JUDGE O'CONNELL: Mr. Zakai, I noticed in  
11 the requirements for what should be submitted along with  
12 case certification a number of items that the party  
13 needs to address. And I believe there's also something  
14 there that allows the Commission to ask for something  
15 else.

16           Is there -- and correct me if I'm wrong about  
17 that -- and, also, is one of those things that must be  
18 included in the case certification request -- does it  
19 have to show -- do the parties have to show a signature  
20 page to the agreement?

21           MR. ZAKAI: I do not believe that there's a  
22 specific requirement for showing a signature page to  
23 this agreement. I would be interested in hearing from  
24 AWEC how the similar process works in Oregon as well to  
25 hear that perspective.

1           But in the agreement before this Commission  
2 here in Washington State, I don't see that requirement  
3 to show the signature page.

4           JUDGE O'CONNELL: Before we go to you  
5 Mr. Pepple, Mr. Meyer, it was your original suggestion  
6 that we ask the parties to file a signature page in both  
7 dockets. I don't recall seeing a requirement for the  
8 signature page to be filed along with case  
9 certification, but I'm going to wonder out loud for the  
10 parties whether it wouldn't be appropriate to have that  
11 included along with the request for case certification.

12           So I would like to hear from the parties, and  
13 Mr. Meyer, can you please go first.

14           MR. MEYER: Oh, okay. I think we're making  
15 this harder than we need to, and maybe a couple of  
16 iterations into this as we get more practice with this,  
17 we can decide how we want to work it.

18           But for -- I think it's very easy just to file  
19 that one signature page in both dockets. That way we  
20 can all keep track of who's in and who's not, and we  
21 don't have to wait around to figure that out until we  
22 check both dockets.

23           So either way, it will work. It really will.  
24 But it just seems to me it would be pretty easy to do it  
25 in both for this case and be done with it.

1 JUDGE O'CONNELL: Thank you.

2 Mr. Pepple, would you like to be heard?

3 MR. PEPPLER: No, not particularly. I  
4 generally agree with Mr. Meyer. I think, you know, this  
5 probably isn't a huge issue either way.

6 JUDGE O'CONNELL: Okay. Thank you.

7 Is there anyone else who wants to be heard?

8 Okay. I am planning not to make any additional  
9 requirements. I would expect that the parties file a  
10 signature page, for now, in both dockets. I think that  
11 this is something that can be worked out as we have more  
12 cases that will be part of intervenor funding. But for  
13 now, please just -- to cover all bases, please submit a  
14 signature page in both dockets.

15 And I'm going to issue a prehearing conference  
16 order setting a deadline for next Wednesday for the  
17 filing of case certification and notices from those  
18 seeking or planning to seek intervenor funding. And I  
19 will make clear when the proposed budgets are going to  
20 be due, and that will be 30 days after the Commission  
21 makes a decision on case certification.

22 Is there anything else that we need to discuss  
23 today?

24 MR. PEPPLER: Judge O'Connell, sorry, just  
25 one final question, not to belabor this longer.

1           So are you requesting that parties who already  
2 signed the agreement file their signature pages in this  
3 docket, too? Or is it just new signatories?

4           JUDGE O'CONNELL: Thank you for the  
5 clarification. Good question. I had only intended for  
6 those parties who have not already signed.

7           MR. PEPPLE: Okay.

8           JUDGE O'CONNELL: So if there are any new  
9 signatories, please submit them in both dockets.

10           Okay. Is there anything else from the parties?

11           Okay. Then we will adjourn for today. I will  
12 issue an order soon.

13           We are adjourned. Thank you very much.

14           (Hearing adjourned at 2:13 p.m.)

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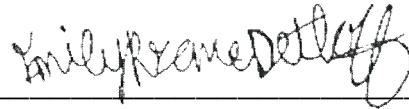
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STATE OF WASHINGTON  
COUNTY OF KING

I, Rose Detloff, a Certified Court Reporter in  
and for the State of Washington, do hereby certify that  
the foregoing transcript is true and accurate to the  
best of my knowledge, skill and ability.



ROSE DETLOFF, RPR, CCR #21036100

My commission expires:  
DECEMBER 6, 2022