

BEFORE THE

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION,)))	DOCKET NO. UE-070565
Complainant,)	MOTION OF THE INDUSTRIAL
v.)	CUSTOMERS OF NORTHWEST
PUGET SOUND ENERGY, INC.,)	UTILITIES FOR LEAVE TO FILE
Respondent.)	SUPPLEMENTAL TESTIMONY AND
)	TO MODIFY PROCEDURAL
)	SCHEDULE

1 Pursuant to WAC § 480-07-375(b) and (d), the Industrial Customers of Northwest Utilities (“ICNU”) submits this motion for leave to file supplemental testimony and to modify the procedural schedule in the above-captioned proceeding. ICNU has contacted counsel for Puget Sound Energy (“PSE” or the “Company”), Commission Staff, and Public Counsel, and these parties do not object to ICNU’s requests.

MOTION FOR LEAVE TO FILE SUPPLEMENTAL TESTIMONY

2 Pursuant to WAC § 480-07-375(d), ICNU moves for leave to file supplemental testimony in order to provide evidence regarding the assumptions in PSE’s filing about the capacity of the Colstrip plant. The direct testimony of Donald W. Schoenbeck on behalf of ICNU was filed on June 15, 2007. Since Mr. Schoenbeck’s direct testimony was filed, ICNU has identified a potential issue related to the assumptions in PSE’s Aurora power cost model about the capacity of the Colstrip plant. Specifically, it appears that PSE’s model may understate the Colstrip plant’s capacity, increasing PSE’s filed power costs in this case. ICNU has submitted data requests to PSE seeking information

related to this issue. ICNU requests leave to file supplemental testimony from Mr. Schoenbeck in order to provide evidence regarding the Colstrip capacity. ICNU is filing Mr. Schoenbeck's testimony concurrently with this motion.

3 Good cause exists to grant ICNU's motion. PSE's power cost only rate proceedings ("PCORC") are the product of a negotiated settlement establishing a process to allow the Company to add new resources to rates and update the power cost baseline in PSE's power cost adjustment mechanism ("PCA").^{1/} Part of the intent of the agreement was to include new resources in rates by the time the resource was in service.^{2/} As a result, PCORC proceedings follow an expedited schedule that contemplates review of the Company's filing within four months.^{3/} The truncated schedule in PCORC proceedings often creates difficulty for intervenors to conduct adequate discovery and prepare testimony.^{4/} This proceeding is no different than previous PCORCs. Allowing limited supplemental testimony would be appropriate under the circumstances.

4 Allowing ICNU to submit supplemental testimony also promotes the WUTC's "paramount interest" in a PCORC, which "is to have a full and complete record upon which to base its decisions on the issues."^{5/} As described above, ICNU did not identify this issue until the due date for Staff and intervenor testimony, and ICNU's testimony does not address the issue. Providing testimony regarding the Colstrip capacity for the evidentiary record will help to provide the Commission the most well-developed record possible.

^{1/} WUTC v. PSE, WUTC Docket Nos. UE-011570 and UG-011571, Twelfth Supp. Order at ¶ 25, Stipulation Exhibit A, p. 5 (June 20, 2002).

^{2/} Id. at Stipulation Exhibit A, p. 6.

^{3/} Id.

^{4/} See, e.g., WUTC v. PSE, Docket No UE-031725, Order No. 6 at ¶ 10 (Dec. 19, 2003) (Granting motion to allow Staff and intervenors additional time to file testimony in PSE's first PCORC).

^{5/} Id.

5 Finally, granting ICNU's motion will not prejudice PSE. The Company's basis for requesting an expedited schedule in this case was to allow the Company to begin recovering the costs of the Goldendale facility by September 1, 2007.^{6/} As described below, ICNU is simultaneously submitting a motion to extend the due date for PSE's response testimony by one business day, and ICNU is not requesting to modify any other dates in the procedural schedule. As a result, ICNU's submission of supplemental testimony should not affect the effective date of any new rates approved in this proceeding.

6 WHEREFORE, ICNU requests that the Commission grant this motion for leave to file supplemental testimony.

MOTION TO MODIFY PROCEDURAL SCHEDULE

7 Pursuant to WAC § 480-07-375(b), ICNU moves to modify the procedural schedule in this proceeding by extending the due date for PSE's response testimony by one business day, to July 2, 2007. PSE and Staff do not object to this modification. Public Counsel had not responded to ICNU's inquiry about this request as of the time of filing this motion. Good cause exists to modify the procedural schedule to ensure that PSE has time to respond to the supplemental testimony, which will help to establish a full and complete record for the Commission's decision in this proceeding. ICNU does not request to modify any other dates in the procedural schedule. As a result, no party should be prejudiced by this change.

^{6/} WUTC Docket No. UE-070565, PSE's Motion for Expedited Procedural Schedule at ¶¶ 4-5.

WHEREFORE, ICNU requests that the Administrative Law Judge grant this motion to modify the procedural schedule.

Dated in Portland, Oregon, this 26th day of June, 2007.

Respectfully submitted,

DAVISON VAN CLEVE, P.C.



S. Bradley Van Cleve

Matthew Perkins

333 S.W. Taylor, Suite 400

Portland, Oregon 97204

(503) 241-7242 telephone

(503) 241-8160 facsimile

mail@dvclaw.com

Of Attorneys for Industrial Customers
of Northwest Utilities