



Bob Ferguson
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August 20, 2015

SENT VIA WEB PORTAL & ABC LMI

Mr. Steven V. King
Executive Director and Secretary
Washington Utilities and Transportation Commission
1300 S. Evergreen Park Dr. S.W.
P. O. Box 47250
Olympia, Washington 98504-7250

Re: *In the Matter of the Petition of Sierra Club, Climate Solutions, and Washington Environmental Council for an Adjudicatory Proceeding Relating to the Prudency of Continued Investments in Colstrip Plant Units 1 and 2.*
Docket UE-151592

Dear Mr. King:

Enclosed for filing in the above-referenced docket are the original and 12 copies of the Public Counsel Response to Petition for Adjudicative Docket on behalf of Public Counsel, and the Certificate of Service.

Sincerely,

Simon Ffitch
Senior Assistant Attorney General
Public Counsel Division
(206) 389-2055

Sf:cjb

cc: Service List (First Class Mail & Email)

**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of:

Sierra Club, Climate Solutions, and
Washington Environmental Council

For an Adjudicatory Proceeding Relating
to the Prudency of Continued Investments
in Colstrip Plant Units 1 and 2

DOCKET UE-151592

PUBLIC COUNSEL RESPONSE TO
PETITION FOR ADJUDICATIVE
DOCKET

1 Public Counsel files this response to the Petition for Adjudicatory Proceeding Relating to
the Prudency of Continued Investments in Colstrip Plants 1 and 2 (Petition) filed July 31, 2015,
by Sierra Club, Washington Environmental Council, and Climate Solutions (Joint Petitioners).

2 Public Counsel supports the request to open an adjudicative docket to consider issues
related to Puget Sound Energy's (PSE's) ownership of the Colstrip plant. As a general matter,
Public Counsel supports an orderly transition away from reliance on coal-fired electricity
generation. The requested docket would provide an opportunity for the Commission and
stakeholders to review and evaluate alternative regulatory avenues to address potential Colstrip
transition issues. The procedural tools available to the Commission in an adjudication should
allow more detailed fact gathering and policy analysis to address many of the issues raised during
consideration of the Colstrip legislation in the 2015 Washington legislature. A well-developed
record in this proceeding can provide a sound basis for future decision making regarding Colstrip.

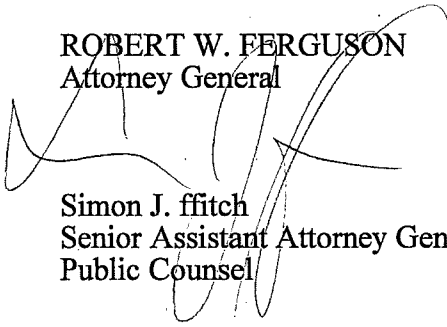
3 Public Counsel is not endorsing or recommending a specific outcome for the docket at this
time. That will depend on the development and analysis of the record and issue in the case.
However, opening a docket is consistent with the Commission's own recommended approach from
the 2013 PSE Integrated Resource Plan process. The proceeding would allow the Commission,
inter alia, to consider what regulatory tools, e.g. an advance determination regarding investment

prudence, are available or appropriate to provide guidance to utilities with regard to coal plant ownership.

4 Public Counsel makes no specific recommendation regarding a timeline or case schedule at this stage of the case, although joint petitioners' proposed schedule may be unrealistic in some regards given the complexity of the issues. Consistent with Commission practice, the schedule is best determined with input from all parties at the prehearing conference. Any schedule in this case should allow the time necessary to develop a full record in a manner that allows adequate time for stakeholders to effectively participate.

5 Dated this 20th day of August, 2015.

ROBERT W. FERGUSON
Attorney General



Simon J. Fitch
Senior Assistant Attorney General
Public Counsel

CERTIFICATE OF SERVICE

DOCKET UE-151592

In the Matter of the Petition of Sierra Club, Climate Solutions and Washington Environmental Council for an Adjudicatory Proceeding Relating to the Prudence of Continued Investments in Colstrip Plant Units 1 and 2

I, Carol Baker, do hereby certify that I have this day served a true and correct copy of *Public Counsel Response to Petition for Adjudicatory Docket* to all parties of record listed and by the manner indicated below:

SERVICE LIST

HC = Receive Highly Confidential; C = Receive Confidential; NC = Receive Non-Confidential

<p>COMMISSION STAFF:</p> <p>Sally Brown Senior Assistant Attorney General Washington Utilities and Transportation Commission 1400 S. Evergreen Park Drive S.W. P.O. Box 40128 Olympia, WA 98504-0128 Email: sbrown@utc.wa.gov</p> <p><input type="checkbox"/> via ABC Legal Messenger <input type="checkbox"/> via FedEx Overnight Delivery <input checked="" type="checkbox"/> via U.S. First-Class Mail <input type="checkbox"/> via Hand-Delivery <input checked="" type="checkbox"/> via E-Mail</p>	<p>SIERRA CLUB:</p> <p>Gloria Smith Travis Ritchie Sierra Club Environmental Law Program 85 Second Street, Floor 2 San Francisco, CA 94618 Email: Gloria.smith@sierraclub.org Email: travis.ritchie@sierraclub.org</p> <p><input type="checkbox"/> via ABC Legal Messenger <input type="checkbox"/> via FedEx Overnight Delivery <input checked="" type="checkbox"/> via U.S. First-Class Mail <input type="checkbox"/> via Hand-Delivery <input checked="" type="checkbox"/> via E-Mail</p>
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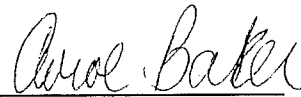
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DATED: August 20, 2015.



Carol Baker
Legal Assistant