WUTC v. Washington Water Supply, Inc.

Docket No. UW-230997 - Vol. I

March 25, 2024



1325 Fourth Avenue, Suite 1840, Seattle, Washington 98101 Bellingham | Everett | Tacoma | Olympia | Yakima | Spokane Seattle 206.287.9066 Tacoma 253.235.0111 Eastern Washington 509.624.3261 <u>www.buellrealtime.com</u> email: <u>audio@buellrealtime.com</u>

Docket No. UW-230997 - Vol. I - 3/25/2024

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BEFORE THE WASHINGTON	1 March 25, 2024	
UTILITIES AND TRANSPORTATION COMMISSION	2 -000-	
WASHINGTON UTILITIES AND)	3	
TRANSPORTATION COMMISSION,)	4 JUDGE THOMPSON:	Good afternoon. Let's be on
) Complainant,)	5 the record. The time is 1:31 p	o.m. My name is Connor
) DOCKET NO. UW-230997	6 Thompson, and I'm an admin	istrative law judge with the
vs.)	7 Washington Utilities and Tran	sportation Commission.
) WASHINGTON WATER SUPPLY, INC,)		a prehearing conference
	⁹ in Docket UW-230997, which	
Respondent.) PAGES 1-15		ommission versus Washington
	11 Water Supply, Inc.	
Prehearing Conference - Vol. I	12 Let's start by taking sh	
BEFORE ADMINISTRATIVE LAW JUDGE CONNOR THO		
March 25, 2024		Good afternoon, your Honor.
	 15 My name is Cassandra Jones 16 and with me is my co-counse 	
Washington Utilities and Transportation Commission	 16 and with me is my co-counse 17 attorney general. And we are 	
621 Woodland Square Loop SE	18 Thank you.	There on behall of stall.
Lacey, Washington 98504	19 JUDGE THOMPSON:	Thank you
	20 And for Washington W	•
	5	Good afternoon, your Honor.
	Alysa Grimes on behalf of the	
	JUDGE THOMPSON:	-
TRANSCRIBED BY: ELIZABETH PATTERSON HARVEY,	24 And that brings us to p	petitions for
FAPR, RPR, WA CCR 2731	25 intervention. Are there any pa	arties or petitions for
I	2	Page 4
1 APPEARANCES	1 intervention?	
2	2 I did not see any pe	titions filed prior to
FOR THE COMMISSION:	³ this hearing. But let's take a	-
Lisa W. Gafken	4 Are there any petitions for ir	ntervention that have not
4 lisa.gafken@atg.wa.gov Cassandra Jones	5 been filed in writing?	
5 cassandra.jones@atg.wa.gov		e, let's go ahead and
Washington Utilities and Transportation 6 Commission	7 proceed. So in today's proc	
Office of the Attorney General 7 PO Box 40128	8 consolidation, but there is a	
7 PO Box 40128 Olympia, Washington 98504		shington Water Supply, Inc.
8 360.664.1187	10 And I'm thinking about pote	
9 FOR THE RESPONDENT:	11 docket with this docket ever 12 going to work out, nor and	-
10	13 But I wanted to give	
Alysa Marie Grimes 11 alysa@silverdalelawyers.com	14 opportunity to just ponder th	-
Bagwell Law, PLLC	15 through as to whether or no	
12 9057 Washington Ave NW Ste 103 Silverdale, Washington 98383	16 potentially consolidate I b	
13 360.516.6799	17 number is UW-240079 with	
14 15	18 And at this time, I'd	like to hear from staff
16	19 as to whether or not a poter	ntial consolidation makes
17 18	20 sense.	
19		S: Thank you, your Honor. At
20 21		e a motion for consolidation,
22	and weren't seeking it at this	
23 24	24 noted in our response to the	
25	25 So that remains our position	1.

1 (Pages 1 to 4)

	Page 5		Page 7
1	JUDGE THOMPSON: Ms. Grimes?	1	parties if I included this requirement in the prehearing
2	ATTORNEY GRIMES: Yes, your Honor. I know my	2	conference order?
3	client would oppose consolidation. And we'd like the	3	ATTORNEY GRIMES: Yes, your Honor, please.
4	opportunity for briefing if that were to be an option.	4	ATTORNEY JONES: Yes, thank you, your Honor.
5	JUDGE THOMPSON: Like I said, I think there's	5	JUDGE THOMPSON: Would the parties like a
6	reasons for keeping the two separate. But it does	6	protective order in this proceeding?
7	involve the same company and a request for a surcharge,	7	ATTORNEY JONES: Your Honor, I'm not sure
8	and so I wanted to run it by the parties to get your	8	that we need a protective order for this proceeding.
9	thoughts on it.	9	ATTORNEY GRIMES: I agree. I don't see the
10	But hearing from both of you, I think we're	10	need for one.
11	going to go ahead and not consolidate the two proceedings	11	JUDGE THOMPSON: Okay. I will not issue a
12	at this time.	12	protective order.
13	Ms. Grimes, I do have a question for you. As	13	Have the parties had an opportunity to
14	part of the previous docket where Washington Water Supply	14	discuss a procedural schedule, and do we have any
15	had requested a surcharge for six months, which was	15	agreement on a procedural schedule?
16	granted, there was a condition in that docket to file a	16	ATTORNEY GRIMES: Yes. Ms. Gafken sent an
17	rate case.	17	updated schedule this morning with the new proposed
18	And there is that pending motion to sever out	18	settlement conference date of April 15, and my client
19	there in 240097 [sic]. My understanding is that staff's	19	agrees to all dates proposed.
20	position and staff can correct me if I'm wrong on this	20	JUDGE THOMPSON: So I heard a settlement
21	is that there should be a general rate proceeding, and	21	conference date of April 15. Let me take note of that.
22	that those proceedings should be handled together. Do	22	And would one of you please like to read the
23	you know where your client is at on filing a general rate	23	agreed-upon procedural schedule into the record for me.
24	proceeding and when we might be able to expect that	24	And I may have to ask you to read it twice if there's a
25	coming in?	25	need, if I can't get down dates quickly enough. But I'd
	Page 6		Page 8
		1	
1	And the reason Lask is I'd like to get an	1	
1 2	And the reason I ask is I'd like to get an order out on that motion, but I do feel that I need to	1	go ahead and ask that somebody go ahead and read that
2	order out on that motion, but I do feel that I need to	2	go ahead and ask that somebody go ahead and read that into the record.
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2 (Pages 5 to 8)

	Page 9		Page 11
1	read it back to you just to make sure I have everything	1 like to have simultaneous brid	
2	correct.	 let you know that the option is 	-
3	We have company testimony May 30th of 2024,	 closing arguments in stay of t 	-
4	with response times for data requests going to seven	4 sounds like the briefings are	-
5	days.		: Yes, your Honor. My client
6	Response testimony, June 27, with discovery	6 does prefer that we do the bri	
7	request response times going to five days.	7 JUDGE THOMPSON	-
8	A discovery deadline of August 6.		iders. I want to remind
9	Rebuttal and cross answering August 15.	 9 the parties that documents sh 	
10	And an evidentiary hearing August 26.	.0 the electronic filing link on the	•
11	Just looking at those dates, are all those	.1 If the parties intend to	
12	correct, first of all?	2 there will be requirements for	
13	ATTORNEY JONES: I think I made a mistake,	3 exhibit list in advance of the h	-
14	and I think I may have read the wrong date for rebuttal.	4 be done only electronically. I	-
15	Apologies.	5 order with details on this topic	
16	So staff response testimony due June 27.	6 Also, the commission	's rules provide for
17	Company rebuttal July 25.	.7 electronic service of docume	nts. The commission will
18	And then last day to submit discovery is	8 serve the operators electronic	cally, and the parties will
19	August 6.	9 serve each other electronical	ly.
20	I apologize. I think my brain skipped over	0 If you have any correc	tions or updates to our
21	one of those.	master service list, which you	-
22	JUDGE THOMPSON: It was probably my error. I	docket list on the UTC's webs	
23	had an outline of what I thought the dates might be ahead	number, please file a written	
24	of time.	e-mail me at Connor.Thomps	-
25	Okay. That rebuttal date gives policy time	And if there are any c	hanges that occur,
	Page 10		Page 12
1	to review the filings. And so I'm comfortable with that.	1 updates that occur, you can	also reach me at that
2	And then simultaneous briefing September 19;	2 address.	
3	is that correct?	3 If any party has not y	ret designated a lead
3 4	is that correct? ATTORNEY JONES: Yes.	If any party has not yrepresentative for service, pl	
			ease do so via e-mail to me
4	ATTORNEY JONES: Yes.	4 representative for service, pl5 as soon as possible, again a	ease do so via e-mail to me
4 5	ATTORNEY JONES: Yes. JUDGE THOMPSON: Okay. And the settlement	4 representative for service, pl5 as soon as possible, again a	ease do so via e-mail to me t that e-mail address. additions to names or
4 5 6	ATTORNEY JONES: Yes. JUDGE THOMPSON: Okay. And the settlement conference April 15. I'll go ahead and remind the parties that you're free to have additional settlement conferences as	 representative for service, pl as soon as possible, again a And if there are any a 	ease do so via e-mail to me t that e-mail address. additions to names or ntatives or support staff who
4 5 7 8 9	ATTORNEY JONES: Yes. JUDGE THOMPSON: Okay. And the settlement conference April 15. I'll go ahead and remind the parties that you're free to have additional settlement conferences as the proceedings move forward. And so if after testimony	 representative for service, pl as soon as possible, again a And if there are any a e-mail addresses of representation 	ease do so via e-mail to me t that e-mail address. additions to names or ntatives or support staff who
4 5 7 8 9 10	ATTORNEY JONES: Yes. JUDGE THOMPSON: Okay. And the settlement conference April 15. I'll go ahead and remind the parties that you're free to have additional settlement conferences as the proceedings move forward. And so if after testimony is filed you think it might be prudent to move forward	 representative for service, pl as soon as possible, again a And if there are any a e-mail addresses of represent should receive electronic cont that to us as well. I do have a question 	ease do so via e-mail to me t that e-mail address. additions to names or ntatives or support staff who urtesy copies, please e-mail regarding lead service
4 5 7 8 9 10 11	ATTORNEY JONES: Yes. JUDGE THOMPSON: Okay. And the settlement conference April 15. I'll go ahead and remind the parties that you're free to have additional settlement conferences as the proceedings move forward. And so if after testimony is filed you think it might be prudent to move forward with an additional settlement conference, you're free to	 representative for service, pl as soon as possible, again a And if there are any a e-mail addresses of represent should receive electronic condition that to us as well. I do have a question for Washington Water Suppl 	ease do so via e-mail to me t that e-mail address. additions to names or ntatives or support staff who urtesy copies, please e-mail regarding lead service y. Are you going to be the
4 5 7 8 9 10 11 12	ATTORNEY JONES: Yes. JUDGE THOMPSON: Okay. And the settlement conference April 15. I'll go ahead and remind the parties that you're free to have additional settlement conferences as the proceedings move forward. And so if after testimony is filed you think it might be prudent to move forward with an additional settlement conference, you're free to do so. I don't think in this proceeding you need to	 representative for service, pl as soon as possible, again a And if there are any a e-mail addresses of represent should receive electronic condition that to us as well. I do have a question for Washington Water Suppl lead representative for Wash 	ease do so via e-mail to me t that e-mail address. additions to names or ntatives or support staff who urtesy copies, please e-mail regarding lead service y. Are you going to be the
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3 (Pages 9 to 12)

,	Page 13		Page 15
1	deadline a week prior to the evidentiary hearing for that	1	CERTIFICATE
2	deadline?	2	
3	ATTORNEY GRIMES: No, your Honor.	3	STATE OF WASHINGTON)
4	ATTORNEY JONES: No objection.) ss
5	JUDGE THOMPSON: Okay. Is there anything	4	COUNTY OF KING)
6	else we need to address today?	5	I, Elizabeth Patterson Harvey, a Certified
7	ATTORNEY JONES: There's just one final thing	6	Court Reporter and Registered Professional Reporter
8	I wanted to raise on this docket, and that is that the	7	within and for the State of Washington, do hereby certify
9	commission may wish to consider a public comment hearing	8	under penalty of perjury that the foregoing legal
10	for this case.	9	recordings were transcribed under my direction; that I
11	I would leave it to your judgment if you	10	received the electronic recording in the proprietary
12	think that's necessary. There has been some public	11	format; that I am not a relative or employee of any
13	comments that have been received in this matter and	12 13	attorney or counsel employed by the parties hereto, nor
14	related matters. So that may be something the	14	financially interested in its outcome. IN WITNESS WHEREOF, I have hereunto set my
15	commission may wish to have a public comment hearing for	15	hand this 8th day of April, 2024.
16	this case.	16	
17	JUDGE THOMPSON: I will take that under	17	A COLORED AND A
18	advisement and include it in the prehearing conference	18	
19	order.	19	Elizabeth Salteratterry
20	And are there any other matters?	20	Elizabeth Patterson Harvey, CCR 2731
21	ATTORNEY JONES: Nothing further from staff,	21	
22	your Honor.	22	
23	JUDGE THOMPSON: Okay.	23	
24	ATTORNEY GRIMES: Nothing here, your Honor.	24	
25	JUDGE THOMPSON: Wonderful. Thank you. I	25	
	Page 14		
1	saw you shake your head, but thank you for confirming		
2	verbally.		
3	I will issue an order shortly containing the		
4	procedural schedule and other guidelines for the		
5	disposition position of this case.		
б	We are adjourned at this time. Thank you.		
7	We can go off the record at this time, and		
8	parties, if you would just remain.		
9	(Proceedings concluded at 1:45 p.m.)		
10			
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18 19			
19 20			
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23			
24			
25			

4 (Pages 13 to 15)

				Page 16
A	August 8:19,20,21	commission's 6:21	dates 7:19,25 8:5	13:1
able 5:24	9:8,9,10,19	11:10,16	9:11,23	exhibit 11:13
additional 10:8,11	available 6:13,16	company 5:7 6:3	day 8:14,18 9:18	exhibits 8:20 11:11
10:16 12:16	11:2	8:9,17 9:3,17	15:15	11:12 12:24
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