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BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CITY OF KENT,

Petitioner,

DOCKET NO. UE-010778
(Consolidated)

v.

PUGET SOUND ENERGY, INC.,

Respondent.

.....
CITY OF AUBURN, CITY OF
BREMERTON, CITY OF DES MOINES,
CITY OF FEDERAL WAY, CITY OF
LAKEWOOD, CITY OF REDMOND, CITY
OF RENTON, CITY OF SEATAC, AND
CITY OF TUKWILA,

Petitioners,

DOCKET NO. UE-010911
(Consolidated)

v.

PUGET SOUND ENERGY, INC.,

Respondent.

DECLARATION OF JAMES F.
MORROW

JAMES F. MORROW declares as follows:

1. I am the Director of Public Works for the City of Tukwila. I have held this position since 1999. I am a licensed civil engineer.

1 2. My responsibilities with the City include, among others, the planning, design,
2 construction, operation, maintenance, and improvements of the city's streets. I am also responsible
3 for the management of the city's rights-of-way.

4 3. Even though the City of Tukwila has not recently had to negotiate an undergrounding
5 conversion agreement with PSE, PSE has on three separate occasions stated that PSE was requiring
6 the Cities to purchase at City expense easements or property in PSE's name for the purpose of
7 relocating PSE's electrical lines and equipment. These meetings included representatives from
8 Federal Way, Kent, Auburn, Tukwila, Des Moines, Sea Tac, and Puget Sound Energy. The dates of
9 the meetings were October 11, 2000; October 24, 2000; November 17, 2000; and February 14, 2001.
10

11 4. At the October 24, 2000 meeting, PSE stated that their shift of policy requiring the
12 City to purchase easements and property at City expense was called for by Tariff by G - Schedule
13 71. PSE stated that the reason for wanting the Cities to purchase the exclusive easements was
14 financial. If PSE's equipment is located in the exclusive easement, then the Cities will pay the
15 relocation costs required by future street improvements, not PSE. If, however the equipment is
16 located in the public right-of-way, then the relocation costs are borne by PSE. The cities were
17 concerned because if they began buying easements for PSE, what about the other utilities that use
18 the public right-of-way – US West/Quest; telecommunications, cable franchises, water lines, sewer
19 lines, natural gas lines, surface water systems, Olympic pipeline? The cities also raised the question
20 of proper stewardship of public funds required of Public Works Directors. The possibility of
21 resolving this easement issue and establishing a better contracting mechanism, one that commits the
22 parties to scope, cost, and schedule, was discussed.
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5. It is standard practice in Tukwila and other cities to locate underground electrical services in the same rights-of-way with gas, water, telephone, and telephone services. *See* pages from Seattle City Light “Construction Guidelines” (March 1995), which are attached as Exhibit A, and the Record Drawing for the project at 42nd Avenue South, included in Attachment B.

6. To the best of my knowledge, PSE has never required the City of Tukwila to purchase private easements in connection with any underground conversion project.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct. Executed at Tukwila, Washington, on August 8, 2001.

JAMES F. MORROW

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the DECLARATION OF JAMES F. MORROW IN SUPPORT OF CITIES' MOTION FOR SUMMARY DETERMINATION, filed by the Cities of Auburn, Bremerton, Des Moines, Federal Way, Lakewood, Redmond, Renton, SeaTac, and Tukwila, upon all parties of record in this proceeding, via facsimile, followed by U.S. mail, as follows:

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Dennis J. Moss, Administrative Law Judge
Washington Utilities and Transportation Commission
1300 S. Evergreen Park Drive S.W.
P. O. Box 47250
Olympia, WA 98504-7250

DATED at Seattle, Washington, this ____ day of August, 2001.

Jo Ann Sunderlage
Secretary to Carol S. Arnold