

**BEFORE THE  
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

<p>In the Matter of the Petition of PUGET SOUND ENERGY, INC.</p> <p>For Approval of a Power Purchase Agreement for Acquisition of Coal Transition Power, as Defined in RCW 80.80.010, and the Recovery of Related Acquisition Costs</p>	<p style="text-align: center;">DOCKET NO. 121373</p>
<p>In the Matter of the Petition of PUGET SOUND ENERGY, INC. and NW ENERGY COALITION</p> <p>For an Order Authorizing PSE to Implement Electric and Natural Gas Decoupling Mechanisms and to Record Accounting Entries Associated with the Mechanisms</p>	<p style="text-align: center;">DOCKET NOS. UE-121697 and UG-121705 (Consolidated)</p>
<p>WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION,  Complainant,  v.  PUGET SOUND ENERGY, INC.,  Respondent.</p>	<p style="text-align: center;">DOCKET NOS. UE-130137 and UG-130138 (Consolidated)</p> <p style="text-align: center;">PUGET SOUND ENERGY, INC.'S RESPONSE TO ICNU'S MOTION REQUESTING AUTHORIZATION TO FILE SUPPLEMENTAL TESTIMONY</p>

*I.* Puget Sound Energy, Inc. ("PSE") submits to the Washington Utilities and Transportation Commission ("the Commission") this response in opposition to the Industrial Customers of Northwest Utilities' ("ICNU") Expedited Motion Requesting Authorization to File Supplemental Testimony, filed May 7, 2013 ("Motion"). ICNU seeks leave to introduce supplemental

PSE'S RESPONSE TO ICNU'S MOTION  
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SUPPLEMENTAL TESTIMONY - 1

testimony, along with a supporting exhibit, regarding ICNU witness Michael Gorman's analysis of PSE's Commission Basis Report, which was filed with this Commission in Docket No. UE-130652 on April 30, 2013. For the reasons described below, PSE respectfully requests that the Commission deny ICNU's Motion.

2. ICNU's Motion and supplemental evidence were filed the day before rebuttal testimony was due and the week before the hearing is scheduled in these proceedings. Thus, this case is in a much different procedural posture than the case cited by ICNU in support of its motion.<sup>1</sup> In that case the Commission allowed PSE to supplement its general rate case testimony more than three weeks before response testimony was due, and granted a continuance for the response testimony filing in light of the supplemental testimony. As such, the Commission ruled in that case that the filing of supplemental testimony appropriately balanced the Commission's "interest in having up-to-date information against the needs of the parties to have adequate opportunities for discovery and the development of their own testimony and exhibits."<sup>2</sup> Allowing ICNU to introduce supplemental evidence at this late stage would unduly prejudice PSE and does not allow for a proper balance of interests. ICNU claims otherwise, stating that PSE is "intimately familiar" with the accounting report.<sup>3</sup> Yet it is not the Commission Basis Report that ICNU presents as new evidence, it is Mr. Gorman's analysis and opinion of it that is being introduced. ICNU states that "parties will have no difficulty responding to his testimony, should they so

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<sup>1</sup> *WUTC v. Puget Sound Energy, Inc.*, Dockets UE-072300 and UG-072301, Order 08 (May 5, 2008).

<sup>2</sup> *Id.* at ¶¶ 9-10, 15.

<sup>3</sup> Motion at ¶ 3.

desire."<sup>4</sup> ICNU is incorrect; there is inadequate opportunity in the current schedule, either procedurally or practically, to fully review and respond to Mr. Gorman's supplemental testimony. PSE witness Katherine Barnard provided a brief response in rebuttal testimony, but given the fact that ICNU filed the proposed supplemental testimony approximately 24 hours prior to the rebuttal filing deadline, PSE was not able to fully respond to the supplemental testimony of Mr. Gorman.

3. The parties have known for months that PSE's Commission Basis Report would be filed at the end of April. Even with this knowledge, the procedural schedule was not arranged around this filing, and there is no reason to treat this annual filing as a reason to revise the procedural schedule at this late date.
4. Further, ICNU's Motion should be denied also because the new financial information has limited, if any, relevance to the Multiparty Settlement in these proceedings. The Commission Basis Report that Mr. Gorman has analyzed covers a different test period than the test period used in these proceedings. Therefore, the financial information does not even directly apply to the proposal before the Commission. There is always additional information that can be added to the record and analyzed, as the Commission has recognized, but at some point, procedures and schedules must be set and followed.<sup>5</sup>

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<sup>4</sup> *Id.*

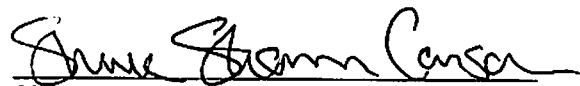
<sup>5</sup> See, e.g., *In re Joint Application of Puget Holdings LLC and Puget Sound Energy, Inc. for an Order Authorizing Proposed Transaction*, Docket No. U-072375, Order 06 at ¶ 8 (refusing to reopen the record and noting that "[m]arket conditions are different now than when our record closed the first time and if we were to reopen it today they may be different the day or the week after that.").

5. In summary, ICNU's Motion does not correct any errors or provide new relevant information that would assist the Commission in its deliberations. For these and the foregoing reasons, the Commission should deny ICNU's request.

**DATED:** May 14, 2013

Respectfully Submitted,

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