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UG-230393

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Records Management  
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Docket number 230393, cover letter

To Jeff Killip, Executive Director and Secretary, the UTC commissioners and Judge Michael Howard,

I would like to appeal the UTC decision to keep Puget Sound Energy LNG production numbers secret by denying my public records request re PSE LNG production numbers.

The reasons I asked for Puget Sound Energy daily Liquefied Natural Gas production records are:

1 – From public comments by UTC staff we learned that Puget Sound Energy (PSE) has at times produce more than the permitted 250,000 gals/day LNG. Puget Sound Energy, like any other company, has to follow permit stipulations. Puget Sound Clean Air Agency's Final Order of Approval No. 11386 limits the production of liquefied natural gas (LNG) to 250,000 gallons a day. Violating said air permit has consequences on our air, safety and trust in public agencies' willingness to uphold permits and stipulations. PSE LNG refinery is operating on property that belongs to the residents of Pierce County. We all pay taxes on that and we deserve to know whether this multinational fossil fuel LLC is fulfilling its legal permit and contractual obligations with our public clean air institution. ([psccleanair.gov/636/PSE---LNG-Facility-Tacoma](https://psccleanair.gov/636/PSE---LNG-Facility-Tacoma)). I reached out to PSCAA on multiple occasions over several months, but have not received a reply. I learned viat UTC staff in public testimony that PSE had violated the Final Order of Approval No. 11386 on multiple occasions.

2 - The UTC (Utilities and Transportation Commission) approved a cost sharing agreement ([www.utc.wa.gov/230393](http://www.utc.wa.gov/230393)) to where rate payers are obligated to pay for 43 percent of the PSE LNG refinery. This was decided against overwhelming public testimony opposed to such an agreement. I went to all these hearings and asked the UTC representative to ratepayers why such a large share. Staff had no answers. Later on, we learned that this large amount is due to the regasification equipment that supposedly is only to be used for regulated ratepayers of PSE, and not for the private Puget LNG fuel supplier. However, by producing larger amounts of LNG than permitted, and storing LNG so long in the tank that its shelf-life expired, PSE has already used that equipment to regasify LNG for private Puget LNG. This regasification had nothing to do with peak shaving. Via PSE temporary LNG purchase-sales agreement (attached) we learned that Puget LNG is using equipment that was exclusively to be used for regulated peak shaving. The capital costs of the LNG refinery have ballooned from \$250 million to a staggering \$489 million, of which \$243 million (up from \$133 million as stated by PSE at the time of the cost sharing agreement) are burdened upon regulated rate payers. PSE is a monopoly - consumers do not have a choice. Use for rate payer gas is an approximate 1-2 percent of the LNG, on 2-3 cold days a year max – and even less as the climate is warming. We deserve to know how severe and how often PSE is violating the cost sharing agreement.

3 - Puget Sound Energy claims that the gas production numbers are “commercially sensitive terms in a contract with an entity that is not a party to this proceeding.” Since PSE is using regualted equipment, that makes PSE gas rate payers a party to the proceedings. The term 'commercially sensitive' could apply if a) PSE was not a gas monopy and b) if there was any viable competition. PSE is the only LNG provider in the entire Pacific Northwest, and the only one on the entire West Coast. It's not feasible for LNG to reach our markets as cryogenic pipelines are nonexistent, and cannot be hundreds of miles long. LNG is also federally prohibited on rail. There are simply no other LNG purveyors in a multi-state area.

The reasons I disagree with the decision to deny the records request are as stated in point 1, 2 and 3 above. Regulated rate payers and the public clearly have a stake in understanding if Puget Sound Energy and/or their subsidiaries are

violating PSCAA permits and UTC cost sharing agreements. The use of equipment of regulated LNG by non-regulated private, foreign-owned investor Puget LNG can be construed as theft of public funds in my opinion.

PSE previously denied the release of city of Tacoma public records regarding LNG safety. PSE's legal team falsely claimed they are under FERC (Federal Energy Regulatory Commission) 'critical energy infrastructure' jurisdiction, a claim that was repeatedly denied by FERC. Judge Cuthbertson at the Pierce County Superior Court recognised that and ordered the record released then. I do not understand why this case is not decided in Superior Court.

Best regards  
Claudia Riedener  
PSE rate payer  
Tacoma