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Via Overnight Mail

January 4, 2008

Commission Secretary
Washington Utilities and Transportation Commission,
P.O. Box 47250
1300 S. Evergreen Park Drive, S.W.
Olympia, Washington 98504-7250

Re: Docket No. U-072375

RECEIVED
MANAGEMENT
2008 JAN -7 AM 8:55
STATE OF WASH.
UTIL. AND TRANSP.
COMMISSION

Dear Ms. Washburn:

Please find enclosed the original and four (4) copies of the PETITION TO INTERVENE OF THE KROGER CO., ON BEHALF OF ITS FRED MEYER STORES AND QUALITY FOOD CENTERS in the above-referenced matter. Please also find enclosed a 3-1/2 diskette containing same.

By copy of this letter, all parties listed on the Certificate of Service have been served. Please place this document of file.

Very Truly Yours,


Michael L. Kurtz, Esq.
Kurt J. Boehm, Esq.
BOEHM, KURTZ & LOWRY

MLKkew
Enclosures
cc: Certificate of Service

**BEFORE THE WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION**

In The Matter Of The Joint Application Of :
:
PUGET HOLDINGS LLC AND PUGET SOUND : Docket No. U-072375
ENERGY, INC. :
:
:
:
:
:
For An Order Authorizing Proposed Transaction : **PETITION TO INTERVENE OF**
: **OF THE KROGER CO. ON**
: **BEHALF OF THE FRED MEYER**
: **STORES AND QUALITY FOOD**
: **CENTERS**

PETITION TO INTERVENE

Pursuant to WAC 480-09-430, the Kroger Co., on behalf of its Fred Meyer Stores (“Fred Meyer”) and Quality Food Centers (“QFC”) divisions, petitions to intervene in these proceedings and states in support as follows:

1. Name and Addresses of Petitioner:

Quality Food Centers, Inc.
10116 N.E. 8th Street
Bellevue, WA 98004

Fred Meyer Stores, Inc.
3800 Southeast 2nd Street
Portland, OR 99202

The Kroger Co.
Attn: Corporate Energy Manager (GO9)
1014 Vine Street
Cincinnati, Ohio 45202
Telephone: 513-762-4538 Facsimile: 513-762-4012
E-mail: dgeorge@kroger.com

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UTIL. AND TRANSP.
COMMISSION

2. **Name and Address of Attorney Representing Petitioner:**

Michael L. Kurtz, Esq.
Kurt J. Boehm, Esq.
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3. **Identify the Petitioner:**

Petitioner is a retail electric and natural gas customer of Puget Sound Electric, Inc. ("PSE"). Petitioner has approximately 66 grocery stores and other facilities that purchase their electric supply from PSE and approximately 112 facilities that purchase their natural gas supply from PSE. Several stores purchase both utility services from PSE.

4. **Petitioner's Interest in this Proceeding:**

Kroger is a corporation engaged in the business of selling groceries at retail throughout the United States. One of the largest retail food companies in the United States, Kroger operates approximately 130 grocery stores in the state of Washington under the Fred Meyer and QFC banners. Of that total, 66 purchase their electric supply from PSE. These stores purchase more than 185 million kWh of electricity from PSE annually under various rate schedules and have a peak demand in excess of 27 MW. Petitioner is one of the largest commercial customers served by PSE. The grocery stores operated by Fred Meyer and QFC are high load factor facilities that use energy for food storage, lighting, heating, cooling and distribution, often on a 24 hour a day, 7 day a week basis.

These Fred Meyer and QFC stores are also substantial natural gas customers of PSE. On an annual basis Petitioner purchases approximately 300,000 Mcf from PSE at 112 locations. PSE's request could substantially affect Petitioner's costs. Accordingly, Petitioner has a substantial and direct interest in this case that cannot be accurately represented by any other party.

5. **Issues To Be Raised:**

Petitioner will examine whether PSE's application is just and reasonable.

6. **Testimony of Witnesses:**

If Petitioner submits written direct testimony or exhibits, it will be prepared by Mr. Kevin C. Higgins, a principal in the firm Energy Strategies, LLC of Salt Lake City, Utah. Petitioner also intends to cross examine the witnesses called by the other parties to this proceeding and to submit written briefs as appropriate.

WHEREFORE, for the reasons set forth above, Petitioner requests that this Petition to Intervene be granted.

DATED this 4th day of January, 2008.



Michael L. Kurtz, Esq.

Kurt J. Boehm, Esq.

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CERTIFICATE OF SERVICE

I certify that I have this 4th day of January, 2008 served the foregoing Petition to Intervene of the Kroger Co. on behalf of the Fred Meyer Stores and Quality Food Centers by overnight mail to the Washington Utilities And Transportation Commission; and depositing same, postage prepaid, in the United States Mail to all parties of record at their addresses shown below:

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Olympia, WA 98504-7250

A handwritten signature in black ink, appearing to read "Kurtz", written over a horizontal line.

Michael L. Kurtz, Esq.
Kurt J. Boehm, Esq.