

### Rob McKenna ATTORNEY GENERAL OF WASHINGTON

800 Fifth Avenue #2000 • Seattle WA 98104-3188

February 12, 2009

### **VIA ELECTRONIC FILING & FIRST CLASS MAIL**

David Danner
Executive Secretary
Washington Utilities & Transportation Commission
1300 S. Evergreen Pk. Dr. S.W.
PO Box 47250
Olympia, WA 98504-7250

Re: In the Matter of the Petition of PUGET SOUND ENERGY, INC., For a Determination of Emissions Compliance and Proposed Accounting Treatment For the Mint Farm Energy Center; or, Alternatively For an Accounting Order.

Docket No. UE-082128

Dear Mr. Danner:

Enclosed please find the originals and 8 copies each of the protective order agreements of Simon ffitch, Sarah Shifley, Mary Kimball, Stefanie Johnson, Lea Daeschel, Carol Williams, Linda Borla, Kim Lon, and Âimee Coe, for filing in the above entitled docket.

Simon J. ffitch

Senior Assistant Attorney General

Public Counsel Section

(206) 389-20\$5

SJF:ljb Enclosures

Cc: Service List (E-mail & First Class Mail)

### CERTIFICATE OF SERVICE Docket No. UE-082128

I hereby certify that a true and correct copy of the protective agreements of Simon ffitch,

Sarah Shifley, Mary Kimball, Stefanie Johnson, Lea Daeschel, Carol Williams, Linda Borla, Kim

Lon, and Aimee Coe were sent to each of the parties of record shown on the attached Service List in

sealed envelopes, via:

First Class Mail and Electronic Mail

DATED: February 12, 2009.

### Docket No. UE-082128 PSE Accounting Order (Mint Farm Energy Ctr.)

### **SERVICE LIST**

Puget Sound Energy Sheree Strom Carson Jason Kuzma Perkins Coie, LLP 10885 NE Fourth Street Suite 700 Bellevue, WA 98004-5579

Commission Staff Robert D. Cedarbaum 1400 S. Evergreen Park Dr. SW P.O. Box 40128 Olympia, WA 98504-0128

Industrial Customers of Northwest Utilities S. Bradley Van Cleve Davison Van Cleve, P.C. 333 S.W. Taylor, Suite 400 Portland, OR 97204

### **EXHIBIT A (ATTORNEY AGREEMENT)**

## AGREEMENT CONCERNING CONFIDENTIAL INFORMATION IN DOCKET UE-082128 BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

I, Simon ffitch, as Senior Assistant Attorney General in this proceeding for Public Counsel (party to this proceeding) agree to comply with and be bound by the Protective Order entered by the Washington Utilities and Transportation Commission in Docket UE-082128, and acknowledge that I have reviewed the Protective Order and fully understand its terms and conditions.

Signature

800 - Fifth Avenue, Suite 2000, Seattle, WA 98104

Address

### **EXHIBIT A (ATTORNEY AGREEMENT)**

## AGREEMENT CONCERNING CONFIDENTIAL INFORMATION IN DOCKET UE-082128 BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

I, Sarah Shifley, as Assistant Attorney General in this proceeding for Public Counsel (party to this proceeding) agree to comply with and be bound by the Protective Order entered by the Washington Utilities and Transportation Commission in Docket UE-082128, and acknowledge that I have reviewed the Protective Order and fully understand its terms and conditions.

Signature

800 - Fifth Avenue, Suite 2000, Seattle, WA 98104

Address

### **EXHIBIT B**

# AGREEMENT CONCERNING CONFIDENTIAL INFORMATION IN DOCKET UE-082128 BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

I, Mary Kimball, as Policy A Counsel (a party to this proceeding) hereby Protective Order entered by the Washingto in Docket No. UE-082128, and acknowled Order and fully understand its terms and co	n Utilities and Transportation Commission ge that I have reviewed the Protective
Signature Signature	2.5.09 Date
disgnature \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \	Date
Attorney General of Washington Employer	
800 – 5 <sup>th</sup> Ave., Seattle, WA 98104	Policy Analyst
Address	Position and Responsibilities
* * *	
The following portion is to be completed by Commission within 10 days of receipt; fails the above-named person will be deemed an Information under the terms and conditions	ure to do so will constitute a waiver and expert having access to Confidential
No objection.	
	g party objects to the above-named expert
having access to Confidential Information.	The objecting party shall file a motion
setting forth the basis for objection and ask	ing exclusion of the expert from access to
Confidential Information.	
Signature	Date

### **EXHIBIT B**

# AGREEMENT CONCERNING CONFIDENTIAL INFORMATION IN DOCKET UE-082128 BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

I, Stefanie A. Johnson, as Regulator Public Counsel (a party to this proceeding) hereby the Protective Order entered by the Washington Commission in Docket No. UE-082128, and ackre Protective Order and fully understand its terms are Signature  Attorney General of Washington Employer	y agree to comply with and be bound on Utilities and Transportation nowledge that I have reviewed the
800 – 5 <sup>th</sup> Ave., Suite 2000, Seattle, WA 98104 Address * * *	Regulatory Analyst Position and Responsibilities
The following portion is to be completed by the r Commission within 10 days of receipt; failure to the above-named person will be deemed an exper Information under the terms and conditions of the	do so will constitute a waiver and t having access to Confidential
No objection. Objection. The responding party having access to Confidential Information. The osetting forth the basis for objection and asking ex Confidential Information.	
Signature	

Signature

### **EXHIBIT B**

## AGREEMENT CONCERNING CONFIDENTIAL INFORMATION IN DOCKET UE-082128 BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

I, Lea Daeschel, as Regulatory Analyst in this proceeding for Public Counsel (a party to this proceeding) hereby agree to comply with and be bound by the Protective Order entered by the Washington Utilities and Transportation Commission in Docket No. UE-082128, and acknowledge that I have reviewed the Protective Order and fully understand its terms and conditions. Attorney General of Washington **Employer** 800 – 5<sup>th</sup> Ave., Suite 2000, Seattle, WA 98104 Regulatory Analyst Address Position and Responsibilities \* \* \* The following portion is to be completed by the responding party and filed with the Commission within 10 days of receipt; failure to do so will constitute a waiver and the above-named person will be deemed an expert having access to Confidential Information under the terms and conditions of the Protective Order. No objection. Objection. The responding party objects to the above-named expert having access to Confidential Information. The objecting party shall file a motion setting forth the basis for objection and asking exclusion of the expert from access to Confidential Information.

Date

### **EXHIBIT B**

# AGREEMENT CONCERNING CONFIDENTIAL INFORMATION IN DOCKET UE-082128 BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

I, Carol Williams, as Legal Assistated Counsel (a party to this proceeding) hereby agreed Protective Order entered by the Washington Utilis in Docket No. UE-082128, and acknowledge that Order and fully understand its terms and conditional Council	e to comply with and be bound by the ities and Transportation Commission t I have reviewed the Protective ons.
Signature	2/6/09 Date
Attorney General of Washington Employer	
800 – 5 <sup>th</sup> Ave., Suite 2000, Seattle, WA 98104	Legal Assistant
Address	Position and Responsibilities
* * *	
The following portion is to be completed by the r Commission within 10 days of receipt; failure to the above-named person will be deemed an exper Information under the terms and conditions of the	do so will constitute a waiver and thaving access to Confidential
No objection. Objection. The responding party	objects to the above-named expert
having access to Confidential Information. The confidence of the c	
setting forth the basis for objection and asking ex	
Confidential Information.	
Signature	Date

Signature

#### **EXHIBIT B**

## AGREEMENT CONCERNING CONFIDENTIAL INFORMATION IN DOCKET UE-082128 BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

I, Linda Borla, as Legal Assistant in this proceeding for Public Counsel (a party to this proceeding) hereby agree to comply with and be bound by the Protective Order entered by the Washington Utilities and Transportation Commission in Docket No. UE-082128, and acknowledge that I have reviewed the Protective Order and fully understand its terms and conditions. Attorney General of Washington Employer 800 – 5<sup>th</sup> Ave., Suite 2000, Seattle, WA 98104 Legal Assistant Address Position and Responsibilities \* \* \* The following portion is to be completed by the responding party and filed with the Commission within 10 days of receipt; failure to do so will constitute a waiver and the above-named person will be deemed an expert having access to Confidential Information under the terms and conditions of the Protective Order. \_\_\_\_No objection. Objection. The responding party objects to the above-named expert having access to Confidential Information. The objecting party shall file a motion setting forth the basis for objection and asking exclusion of the expert from access to Confidential Information.

Date

### **EXHIBIT B**

## AGREEMENT CONCERNING CONFIDENTIAL INFORMATION IN DOCKET UE-082128 BEFORE THE

### WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

I, Kim Lon, as Office Assistant in to party to this proceeding) hereby agree to comply Order entered by the Washington Utilities and Tr. No. UE-082128, and acknowledge that I have revunderstand its terms and conditions.	ansportation Commission in Docket		
Kim Un	2-5-09		
Signature	Date		
Attorney General of Washington Employer			
800 – 5 <sup>th</sup> Ave., Suite 2000, Seattle, WA 98104 Address	Office Assistant Position and Responsibilities		
* * *			
The following portion is to be completed by the re- Commission within 10 days of receipt; failure to a the above-named person will be deemed an exper- Information under the terms and conditions of the	do so will constitute a waiver and thaving access to Confidential		
No objection Objection. The responding party	objects to the above-named expert		
having access to Confidential Information. The objecting party shall file a motion			
setting forth the basis for objection and asking ex	clusion of the expert from access to		
Confidential Information.			
Signature	Date		

### **EXHIBIT B**

## AGREEMENT CONCERNING CONFIDENTIAL INFORMATION IN DOCKET UE-082128 BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

I, Aimee Coe, as Office Assistant is (a party to this proceeding) hereby agree to comp Protective Order entered by the Washington Utili in Docket No. UE-082128, and acknowledge that Order and fully understand its terms and condition Signature	ties and Transportation Commission I have reviewed the Protective
Attorney General of Washington Employer	
800 – 5 <sup>th</sup> Ave., Suite 2000, Seattle, WA 98104 Address	Office Assistant Position and Responsibilities
* * *	
The following portion is to be completed by the re Commission within 10 days of receipt; failure to of the above-named person will be deemed an exper Information under the terms and conditions of the	do so will constitute a waiver and thaving access to Confidential
No objection. Objection. The responding party having access to Confidential Information. The osetting forth the basis for objection and asking exception and asking exception and asking exception.	
Signature	Date

### AGREEMENT CONCERNING HIGHLY CONFIDENTIAL INFORMATION IN DOCKET UE-082128 BEFORE THE

### WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

I, Simon ffitch, as Senior Assistant Attorney General in this proceeding for Public Counsel (a party to this proceeding) hereby declare under penalty of perjury under the laws of the State of Washington that the following are true and correct:

- a. I am not now involved, and will not for a period of two years involve myself in, competitive decision making with respect to which the documents or information may be relevant, by or on behalf of any company or business organization that competes, or potentially competes, with the company or business organization from whom they seek disclosure of highly confidential information with respect to the development or purchase of energy resources; and
- b. I have read and understand, and agree to be bound by, the terms of the Protective Order in this proceeding, including this Section C of the Protective Order.

Signature

Date

City/State where this Agreement was signed

Attorney General of Washington Employer

Senior Assistant Attorney General Position and Responsibilities

800 – 5<sup>th</sup> Ave., Suite 2000 Seattle, WA 98104 Permanent Address \* \* \*

The following portion is to be completed by the responding party and filed with the
Commission within 10 days of receipt. Failure to do so will constitute a waiver and
the above-named person will be deemed a person having access to Highly
Confidential Information under the terms and conditions of the protective order.

No objection.	
having access to Highly Confidential motion with the Commission,	ne responding party objects to the above-named persor dential Information. The objecting party shall file a supported by affidavit, setting forth the basis for a of the person from access to Highly Confidential
Signature	 Date

### AGREEMENT CONCERNING HIGHLY CONFIDENTIAL INFORMATION IN DOCKET UE-082128 BEFORE THE

#### WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

I, Sarah Shifley, as Assistant Attorney General in this proceeding for Public Counsel (a party to this proceeding) hereby declare under penalty of perjury under the laws of the State of Washington that the following are true and correct:

- a. I am not now involved, and will not for a period of two years involve myself in, competitive decision making with respect to which the documents or information may be relevant, by or on behalf of any company or business organization that competes, or potentially competes, with the company or business organization from whom they seek disclosure of highly confidential information with respect to the development or purchase of energy resources; and
- b. I have read and understand, and agree to be bound by, the terms of the Protective Order in this proceeding, including this Section C of the Protective Order.

Signature

City/State where this Agreement was signed

Attorney General of Washington Employer

Assistant Attorney General Position and Responsibilities

800 – 5<sup>th</sup> Ave., Suite 2000 Seattle, WA 98104 Permanent Address

\* \* \*

### DOCKET UE-082128 ORDER 02

No objection.	
having access to Highly Confiden motion with the Commission, sup	responding party objects to the above-named person atial Information. The objecting party shall file a oported by affidavit, setting forth the basis for the person from access to Highly Confidential
Signature	Date

## AGREEMENT CONCERNING HIGHLY CONFIDENTIAL INFORMATION IN DOCKET UE-082128 BEFORE THE

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

I, Mary Kimball, as Policy Analyst in this proceeding for Public Counsel (a party to this proceeding) hereby declare under penalty of perjury under the laws of the State of Washington that the following are true and correct:

- a. I am not now involved, and will not for a period of two years involve myself in, competitive decision making with respect to which the documents or information may be relevant, by or on behalf of any company or business organization that competes, or potentially competes, with the company or business organization from whom they seek disclosure of highly confidential information with respect to the development or purchase of energy resources; and
- b. I have read and understand, and agree to be bound by, the terms of the Protective Order in this proceeding, including this Section C of the Protective Order.

Signature

Date

City/State where this Agreement was signed

Attorney General of Washington Employer

Policy Analyst
Position and Responsibilities

800 – 5<sup>th</sup> Ave., Suite 2000 Seattle, WA 98104 Permanent Address

No objection	l <b>.</b>
having access to Highly Conf motion with the Commission	The responding party objects to the above-named person fidential Information. The objecting party shall file a supported by affidavit, setting forth the basis for on of the person from access to Highly Confidential
Signature	 Date

## AGREEMENT CONCERNING HIGHLY CONFIDENTIAL INFORMATION IN DOCKET UE-082128 BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

I, Stefanie A. Johnson, as in this proceeding for Public Counsel (a party to this proceeding) hereby declare under penalty of perjury under the laws of the State of Washington that the following are true and correct:

- a. I am not now involved, and will not for a period of two years involve myself in, competitive decision making with respect to which the documents or information may be relevant, by or on behalf of any company or business organization that competes, or potentially competes, with the company or business organization from whom they seek disclosure of highly confidential information with respect to the development or purchase of energy resources; and
- b. I have read and understand, and agree to be bound by, the terms of the Protective Order in this proceeding, including this Section C of the Protective Order.

City/State where this Agreement was signed

Attorney General of Washington Employer

Regulatory Analyst
Position and Responsibilities

800 – 5<sup>th</sup> Ave., Suite 2000 Seattle, WA 98104 Permanent Address

	No objecti	on.	
motion with the	Highly Co Commission	onfidential Information. on, supported by affiday	objects to the above-named person The objecting party shall file a vit, setting forth the basis for access to Highly Confidential
Signature	····	<del></del>	Date

### AGREEMENT CONCERNING HIGHLY CONFIDENTIAL INFORMATION IN DOCKET UE-082128 BEFORE THE

#### WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

I, Lea Daeschel, as Regulatory Analyst in this proceeding for Public Counsel (a party to this proceeding) hereby declare under penalty of perjury under the laws of the State of Washington that the following are true and correct:

- a. I am not now involved, and will not for a period of two years involve myself in, competitive decision making with respect to which the documents or information may be relevant, by or on behalf of any company or business organization that competes, or potentially competes, with the company or business organization from whom they seek disclosure of highly confidential information with respect to the development or purchase of energy resources; and
- b. I have read and understand, and agree to be bound by, the terms of the Protective Order in this proceeding, including this Section C of the Protective Order.

Signature

City/State where this Agreement was signed

Attorney General of Washington Employer

Regulatory Analyst Position and Responsibilities 800 – 5<sup>th</sup> Ave., Seattle, WA 98104 Permanent Address

### DOCKET UE-082128 ORDER 02

No objection.	
having access to Highly Confident motion with the Commission, supp	esponding party objects to the above-named person tial Information. The objecting party shall file a ported by affidavit, setting forth the basis for the person from access to Highly Confidential
Signature	 Date

### AGREEMENT CONCERNING HIGHLY CONFIDENTIAL INFORMATION IN DOCKET UE-082128 BEFORE THE

### WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

I, Carol Williams, as Legal Assistant in this proceeding for Public Counsel (a party to this proceeding) hereby declare under penalty of perjury under the laws of the State of Washington that the following are true and correct:

- a. I am not now involved, and will not for a period of two years involve myself in, competitive decision making with respect to which the documents or information may be relevant, by or on behalf of any company or business organization that competes, or potentially competes, with the company or business organization from whom they seek disclosure of highly confidential information with respect to the development or purchase of energy resources; and
- b. I have read and understand, and agree to be bound by, the terms of the Protective Order in this proceeding, including this Section C of the Protective Order.

Signature Date

City/State where this Agreement was signed

Attorney General of Washington Employer

Legal Assistant
Position and Responsibilities

800 – 5<sup>th</sup> Ave., Seattle, WA 98104 Permanent Address

#### DOCKET UE-082128 ORDER 02

	No objection	on.		
motion with the	Highly Co Commissio	onfidential Information on, supported by affida	objects to the above-named on. The objecting party shall find the basis for access to Highly Confidential	le a
Signature			Date	

### AGREEMENT CONCERNING HIGHLY CONFIDENTIAL INFORMATION IN DOCKET UE-082128 BEFORE THE

#### WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

I, Linda Borla, as Legal Assistant in this proceeding for Public Counsel (a party to this proceeding) hereby declare under penalty of perjury under the laws of the State of Washington that the following are true and correct:

- a. I am not now involved, and will not for a period of two years involve myself in, competitive decision making with respect to which the documents or information may be relevant, by or on behalf of any company or business organization that competes, or potentially competes, with the company or business organization from whom they seek disclosure of highly confidential information with respect to the development or purchase of energy resources; and
- b. I have read and understand, and agree to be bound by, the terms of the Protective Order in this proceeding, including this Section C of the Protective Order.

Sionature

eattles. WH

City/State where this Agreement was signed

Attorney General of Washington Employer

Legal Assistant
Position and Responsibilities

800 – 5<sup>th</sup> Ave., Seattle, WA 98104 Permanent Address

2/6/09

	_ No objecti	on.			
motion with th	to Highly Co ne Commission	onfidential Informon, supported by	nation. The obaffidavit, setti	to the above-named pojecting party shall fil ng forth the basis for to Highly Confidentia	e a
Signature			Date		<del></del>

### AGREEMENT CONCERNING HIGHLY CONFIDENTIAL INFORMATION IN DOCKET UE-082128 BEFORE THE

#### WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

I, Kim Lon, as Office Assistant in this proceeding for Public Counsel (a party to this proceeding) hereby declare under penalty of perjury under the laws of the State of Washington that the following are true and correct:

- a. I am not now involved, and will not for a period of two years involve myself in, competitive decision making with respect to which the documents or information may be relevant, by or on behalf of any company or business organization that competes, or potentially competes, with the company or business organization from whom they seek disclosure of highly confidential information with respect to the development or purchase of energy resources; and
- b. I have read and understand, and agree to be bound by, the terms of the Protective Order in this proceeding, including this Section C of the Protective Order.

Signature

City/State where this Agreement was signed

Attorney General of Washington Employer

Office Assistant
Position and Responsibilities

800 – 5<sup>th</sup> Ave., Seattle, WA 98104 Permanent Address

No objection.	
having access to Highly Confider motion with the Commission, sup	responding party objects to the above-named person ntial Information. The objecting party shall file a proported by affidavit, setting forth the basis for f the person from access to Highly Confidential
Signature	Date

### AGREEMENT CONCERNING HIGHLY CONFIDENTIAL INFORMATION IN DOCKET UE-082128 BEFORE THE

### WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

I, Aimee Coe, as Office Assistant in this proceeding for Public Counsel (a party to this proceeding) hereby declare under penalty of perjury under the laws of the State of Washington that the following are true and correct:

- a. I am not now involved, and will not for a period of two years involve myself in, competitive decision making with respect to which the documents or information may be relevant, by or on behalf of any company or business organization that competes, or potentially competes, with the company or business organization from whom they seek disclosure of highly confidential information with respect to the development or purchase of energy resources; and
- b. I have read and understand, and agree to be bound by, the terms of the Protective Order in this proceeding, including this Section C of the Protective Order.

Signature  $\frac{2/5/09}{Date}$ 

Seatle, WA
City/State where this Agreement was signed

Attorney General of Washington Employer

Office Assistant
Position and Responsibilities

800 – 5<sup>th</sup> Ave., Seattle, WA 98104 Permanent Address

No objection.	
having access to Highly Confide motion with the Commission, su	responding party objects to the above-named person ential Information. The objecting party shall file a apported by affidavit, setting forth the basis for of the person from access to Highly Confidential
Signature	Date