

BEFORE THE  
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND  
TRANSPORTATION COMMISSION,

Complainant,

v.

PUGET SOUND ENERGY, INC.

Respondent.

DOCKET NO. UE-010525

AMENDMENT TO  
STIPULATION OF SETTLEMENT

This Amendment to the Stipulation of Settlement (hereinafter referred to as the “Stipulation”), executed on September 14, 2001, is made by and among the parties to the Stipulation: Puget Sound Energy, Inc. (“PSE”) and AT&T Wireless (“AT&T”), WorldCom, Inc., and Qwest (collectively “Customers”). PSE and Customers are collectively referred to herein as the “Parties”. This Amendment to the Stipulation is intended by the Parties to modify the procedural aspects of the Stipulation, but not the substance thereof, in order to maximize the chances for this Settlement to be approved by the Commission as soon as possible.

As set forth in the Stipulation, PSE has proposed to the Washington Utilities and Transportation Commission (“Commission”), and the Customers support, a new, transitional tariff, and referenced herein, as Stipulated Schedule 45. Stipulated Schedule 45 would be generally available to all customers meeting specified eligibility requirements, until the end of PSE’s next general rate case or October 1, 2003, whichever occurs earlier. If for any reason the Commission declines to allow Stipulated Schedule 45 to go into immediate effect, however, PSE and the Customers have jointly requested that the Commission approve the application of Stipulated Schedule 45 rates, terms and conditions for application to each

Customer in the form of a High Intensity Load Special Contract (“Special Contract”) with the same term as proposed for the transitional tariff.

Notwithstanding statements in the Stipulation, including but not limited to statements in prefatory statement and Sections 2.1.2, 3.2, 4.2 – 4.4, relating to the preference of Stipulated Schedule 45 over the Special Contracts, the Parties hereby agree that in order to procure the most expeditious Commission approvals possible:

1. PSE and Customers will request that the Commission consider and approve the Special Contracts, as filed on September 17, 2001, at or soon after the settlement hearing scheduled for October 17, 2001. If the Commission approves the Special Contracts, PSE will withdraw Stipulated Schedule 45. Thereafter, during the transitional rate period, any new similarly situated customer will be dealt with when and if they apply to PSE for power according to the following principles, agreed to by Industrial Customers of Northwest Utilities (ICNU): a) such new customers will pay for new dedicated facilities, b) PSE will serve a base level of electric power to such new customers under an existing rate schedule (such as Schedule 31 or 49) while the infrastructure facilities are being built; and c) PSE and such new customers are free to disagree about the rates that apply to the new customer’s load (*e.g.* internet data center) after its facilities are up and running (such disagreements are not likely given the lead time for facilities build out and the statutory deadline for the end of PSE’s next general rate case.)

2. After consultation with Customers, PSE will file comments in support of the Special Contracts (to satisfy WAC 480-80-335) prior to the hearing.

3. At the hearing, PSE and Customers will request of the Commission that if they do not approve the Special Contracts, a second hearing will be needed to consider the merits of Stipulated Schedule 45 before the end of the October 2001, because PSE and Customers want Customers to be on that rate schedule when Schedule 48 expires.

4. PSE and Customers will also state that if the Commission does not approve the Special Contracts, and requires more process on the Stipulated Schedule 45 beyond October 31, 2001, PSE and

Customers will request that the Customers be put on Stipulated Schedule 45 on a temporary basis until the process is completed. PSE will state that rate schedule status of any new customers will be determined by the outcome of the Stipulated Schedule 45 proceeding and the existence of the temporary Stipulated Schedule 45 will not be used to shoehorn any new customers onto Stipulated Schedule 45 against their will.

5. If the Commission does not approve the Special Contract, does not approve the Stipulated Schedule 45 by October 31, 2001, or does not allow the three Customers to go on Stipulated Schedule 45 on November 1, 2001 on a temporary basis pending the outcome of the Stipulated Schedule 45 proceeding, the Customers may argue that they should be served on Schedule 31 or 49 pending the outcome of the Stipulated Schedule 45 proceeding.

Therefore, the Parties respectfully request the Commission approve the Stipulation, as amended by this Amendment, the Special Contracts, and the Stipulated Schedule, and grant such other approvals requested in the Stipulation, no later than October 31, 2001 in accordance with the terms and conditions set forth in the Stipulation.

DATED this 15th day of October, 2001

AT&T Wireless

By: \_\_\_\_\_

Its: \_\_\_\_\_

WorldCom, Inc.

By: \_\_\_\_\_

Its: \_\_\_\_\_

Qwest

By: \_\_\_\_\_

Its: \_\_\_\_\_

Puget Sound Energy, Inc.

By: \_\_\_\_\_

Its: \_\_\_\_\_