



Rob McKenna  
**ATTORNEY GENERAL OF WASHINGTON**

800 Fifth Avenue #2000 • Seattle WA 98104-3188

July 7, 2009

**VIA ELECTRONIC FILING & FIRST CLASS MAIL**

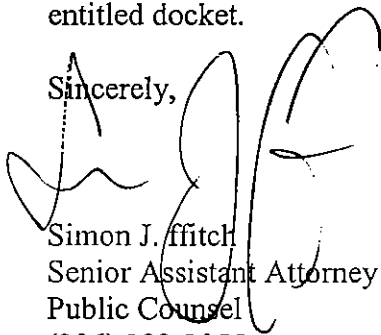
David Danner  
Executive Director and Secretary  
Washington Utilities & Transportation Commission  
1300 S. Evergreen Pk. Dr. S.W.  
P. O. Box 47250  
Olympia, WA 98504-7250

Re: Washington Utilities and Transportation Commission v. Puget Sound Energy  
Docket Nos. UE-090704 and UG-090705

Dear Mr. Danner:

Enclosed please find the originals and sixteen (16) copies each of the protective order agreements of James Dittmer, Michael Brosch, and Mary Jo Brosch, for filing in the above-entitled docket.

Sincerely,



Simon J. Ffitch  
Senior Assistant Attorney General  
Public Counsel  
(206) 389-2055

SJf:gs

Enclosures

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



**EXHIBIT B (EXPERT AGREEMENT)**

AGREEMENT CONCERNING CONFIDENTIAL INFORMATION  
IN DOCKET UE-090704 and UG-090705  
BEFORE THE  
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

I, James Dittmer, as expert witness in this proceeding for Public Counsel / Sec. m - WA AG (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 UE-090704 and UG-090705, and acknowledge that I have reviewed the Protective Order and fully understand its terms and conditions.

James R Dittmer  
Signature

7-1-09  
Date

Utilitech Inc  
Employer

P.O. Box 481934  
Kansas City, MO 64148-1934  
Address

Senior Regulatory Consultant  
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.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**EXHIBIT C (HIGHLY CONFIDENTIAL INFORMATION AGREEMENT)**

AGREEMENT CONCERNING HIGHLY CONFIDENTIAL INFORMATION  
IN DOCKET UE-090704 and UG-090705  
BEFORE THE  
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

I, James Dittmer, as

- In-house attorney
- In-house expert
- Outside counsel
- Outside expert

in this proceeding for Public Counsel Section - WA AG (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 am not now involved, and will not for a period of two years involve myself in, the ownership or development of electric energy projects or resources: (i) that have been or could potentially be offered to PSE for its electric portfolio; or (ii) that are competing or could potentially compete with other projects that are or could be offered to PSE for its electric portfolio; and
- c. I am not now involved, and will not for a period of two years involve myself in, providing consulting services or advice to owners or developers of electric energy projects or resources: (i) that have been or could potentially be offered to PSE for its electric portfolio; or (ii) that are competing or could potentially compete with other projects that are or could be offered to PSE for its electric

portfolio, to the extent such consultation or advice involves matters for which the "highly confidential" information would be relevant; and

- d. 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.

James R. Dittmer  
Signature

7-1-09  
Date

Lee's Summit, Missouri  
City/State where this Agreement was signed

Utilitech, Inc  
Employer

Senior Regulatory Consultant  
Position and Responsibilities

P.O. Box 481934  
Kansas City, MO 64148-1934  
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.

\_\_\_\_\_ Objection. The responding party objects to the above-named person having access to Highly Confidential Information. The objecting party shall file a motion with the Commission, supported by affidavit, setting forth the basis for objection and asking exclusion of the person from access to Highly Confidential Information.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**EXHIBIT B (EXPERT AGREEMENT)**

AGREEMENT CONCERNING CONFIDENTIAL INFORMATION  
IN DOCKET UE-090704 and UG-090705  
BEFORE THE  
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

I, Michael L Bruschi, as expert witness in this proceeding for Public Council (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 UE-090704 and UG-090705, and acknowledge that I have reviewed the Protective Order and fully understand its terms and conditions.

Michael L Bruschi  
Signature

7-3-09  
Date

Utilitech, Inc.  
Employer

13705 Granada Drive  
Address Lenexa KS 66224  
\* \* \*

President / Consultant  
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.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**EXHIBIT C (HIGHLY CONFIDENTIAL INFORMATION AGREEMENT)**

AGREEMENT CONCERNING HIGHLY CONFIDENTIAL INFORMATION  
IN DOCKET UE-090704 and UG-090705  
BEFORE THE  
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

I, Michael L Brosch, as

- In-house attorney
- In-house expert
- Outside counsel
- Outside expert

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 am not now involved, and will not for a period of two years involve myself in, the ownership or development of electric energy projects or resources: (i) that have been or could potentially be offered to PSE for its electric portfolio; or (ii) that are competing or could potentially compete with other projects that are or could be offered to PSE for its electric portfolio; and
- c. I am not now involved, and will not for a period of two years involve myself in, providing consulting services or advice to owners or developers of electric energy projects or resources: (i) that have been or could potentially be offered to PSE for its electric portfolio; or (ii) that are competing or could potentially compete with other projects that are or could be offered to PSE for its electric

portfolio, to the extent such consultation or advice involves matters for which the "highly confidential" information would be relevant; and

- d. 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.

Michael Bush  
Signature

7-3-09  
Date

Lenwood KS  
City/State where this Agreement was signed

Utilitech Inc.  
Employer

President, Consultant  
Position and Responsibilities

13705 Granada Drive  
Permanent Address  
Lenwood KS 66224

\* \* \*

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.

           Objection. The responding party objects to the above-named person having access to Highly Confidential Information. The objecting party shall file a motion with the Commission, supported by affidavit, setting forth the basis for objection and asking exclusion of the person from access to Highly Confidential Information.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**EXHIBIT B (EXPERT AGREEMENT)**

AGREEMENT CONCERNING CONFIDENTIAL INFORMATION  
IN DOCKET UE-090704 and UG-090705  
BEFORE THE  
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

I, Mary Jo Brosch, as expert witness 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 UE-090704 and UG-090705, and acknowledge that I have reviewed the Protective Order and fully understand its terms and conditions.

Mary Jo Brosch  
Signature

7/3/09  
Date

Utilitech, Inc.  
Employer

13705 Granada Dr.  
Address Leawood, KS 66224  
\* \* \*

Utility Analyst  
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.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



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AGREEMENT CONCERNING HIGHLY CONFIDENTIAL INFORMATION  
IN DOCKET UE-090704 and UG-090705  
BEFORE THE  
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

I, Mary Jo Brosch, as

- In-house attorney
- In-house expert
- Outside counsel
- Outside expert

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 am not now involved, and will not for a period of two years involve myself in, the ownership or development of electric energy projects or resources: (i) that have been or could potentially be offered to PSE for its electric portfolio; or (ii) that are competing or could potentially compete with other projects that are or could be offered to PSE for its electric portfolio; and
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portfolio, to the extent such consultation or advice involves matters for which the "highly confidential" information would be relevant; and

- d. 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.

Mary Jo Brosch  
Signature

7/3/09  
Date

Leawood, KS  
City/State where this Agreement was signed

Utilitech, Inc.  
Employer

Utility Analyst  
Position and Responsibilities

13705 Granada Dr.  
Permanent Address

Leawood, KS 66224

\*\*\*

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.

\_\_\_\_\_ Objection. The responding party objects to the above-named person having access to Highly Confidential Information. The objecting party shall file a motion with the Commission, supported by affidavit, setting forth the basis for objection and asking exclusion of the person from access to Highly Confidential Information.

\_\_\_\_\_  
Signature

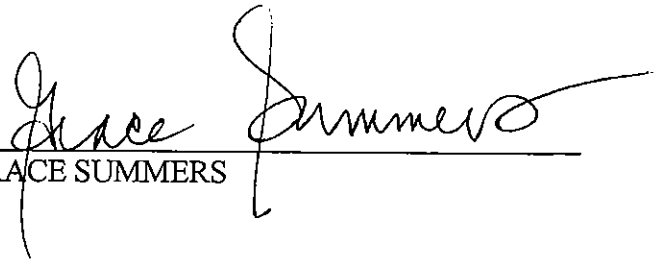
\_\_\_\_\_  
Date

**CERTIFICATE OF SERVICE**  
**Docket No. UE-090704 / UG-090705**

I hereby certify that a true and correct copy of the protective order agreements of James Dittmer, Michael Brosch, and Mary Jo Brosch, 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: July 7, 2009

  
GRACE SUMMERS

Docket Nos. UE-090704 & UG-090705  
PSE GRC 2009

**SERVICE LIST**

**PSE:**

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KURT J BOEHM ESQ  
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IRION SANGER  
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PORTLAND OR 97204

**ENERGY PROJECT:**

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ATTORNEY AT LAW  
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SEATTLE WA 98112

**NWIGU:**

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USERS  
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LAKE OSWEGO OR 97035 1827

**COST MANAGEMENT  
SERVICES :**

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LLP  
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**FEDERAL EXECUTIVE  
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ASSOCIATE COUNSEL  
DEPARTMENT OF THE NAVY  
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SAN FRANCISCO CA 94103 1399