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Aug 21, 2023

From: Sommer J. T. Moser <sjm@dvclaw.com>

Sent: Monday, August 21, 2023 4:29 PM

To: Paisner, Ann (ATG) <Ann.Paisner@atg.wa.gov>; Howard, Michael (UTC) <michael.howard@utc.wa.gov>; Callaghan, Nash (ATG) <Nash.Callaghan@atg.wa.gov>; Doyle, Paige (UTC) <paige.doyle@utc.wa.gov>; Brewster, Stacey (UTC) <stacey.brewster@utc.wa.gov>

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Subject: RE: Settlement in principle Docket UE-210829

External Email

Dear Judge Howard,

AWEC also has no objection to proceeding on a paper record in this case.

Thank you.

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From: Paisner, Ann (ATG) <Ann.Paisner@atg.wa.gov>
Sent: Monday, August 21, 2023 2:17 PM
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Dear Judge Howard,

Public Counsel does not object to a paper record in this case.

Thank you,
Ann

Ann N.H. Paisner

Pronouns: she/her
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[EXTERNAL]

Mr. Callaghan,

Thanks for the update. We will be issuing a Notice Suspending Procedural Schedule and Requiring Filing of Settlement Documents here soon, requiring those documents to be filed by 9/22 as you propose.

I expect that the Commissioners would be agreeable to deciding this matter on a paper record, but this decision is also contingent on any parties who are not joining the settlement. We will need some indication from any non-settling parties that they waive their right to cross-examine witnesses at a hearing and support deciding the case on a paper record.

If for some reason the parties request or the Commissioners decide to hold a settlement hearing, I will look at the Commissioners calendars for some time in the fall/winter. We may need to hold a short prehearing conference. We can address that issue in the future if needed.

Michael Howard

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Administrative Law Judge
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From: Callaghan, Nash (ATG) <nash.callaghan@atg.wa.gov>

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Good afternoon your honor,

The parties in this case have reached a settlement in principle, and pursuant to WAC 480-07-740(2)(c), request suspension of the procedural schedule. Parties in this case are all joining this settlement with the exception of Public Counsel, which needs to go through their usual internal settlement approval process before it can commit to joining, and AWEC, which does not join but does not intend on contesting the settlement.

The parties also request that the Commission consider deciding this matter on a paper record given the staffing issues at the Commission. In the alternative, we request the Commission set a settlement hearing for later in fall/winter of this year. The parties believe we could file the settlement stipulation and supporting testimony on September 22nd, 2023 at the earliest, which is unfortunately too late to keep our discretionary settlement hearing date in the current schedule.

Thank you and please let me know if you have any questions,

Nash Callaghan
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