

SERVICE DATE

JAN 30 1991

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the Petition of)	
)	DOCKET NO. UE-901596
TANNER ELECTRIC COOPERATIVE)	
)	NOTICE OF HEARING
for a Declaratory Order)	(February 7, 1991)
.....))	

On December 27, 1990, pursuant to RCW 34.05.240 and WAC 480-09-230, Tanner Electric Cooperative (Tanner) filed a Petition for a Declaratory Order seeking a ruling on whether Puget Sound Power & Light Company (Puget) is not under an obligation to serve Nintendo Company which requested electric service from Puget and whether to do so would violate Puget's Service Area Agreement with Tanner.

NOTICE IS HEREBY GIVEN that a public hearing on the Petition will be convened at 1:30 p.m., Thursday, February 7, 1991, in the Commission's Hearing Room, Chandler Plaza Building, 1300 S. Evergreen Park Drive SW, Olympia, Washington. Petitions to intervene should be made in writing prior to that date or made orally at that time. Appearances will be taken. Petitioner need not have witnesses in attendance as no oral testimony will be taken at that hearing session. Various preliminary matters will be discussed and resolved, and the matter will be recessed to a prehearing conference for the purposes enunciated in WAC 480-09-460 and WAC 480-09-480. The Petitioner and other interested persons are encouraged to attempt to develop a stipulation of facts for consideration by the Commission on this Petition.

The hearing in this matter is being held pursuant to RCW 34.05.240 and WAC 480-09-230. The issue as posed by the Petitioner is set forth in the Petition which is attached hereto. Also at issue is the scope of authority of the Commission to issue a declaratory order on the matters raised in the Petition and the desirability of the Commission to do so. Statutes involved include those in chapter 80.28 and 54.48 RCW, specifically RCW 80.28.110 and RCW 54.48.030.

The names and mailing addresses of all parties are as follows:

Petitioner:

TANNER ELECTRIC COOPERATIVE
P.O Box 1426
North Bend, Washington 98045

Representative:

Daryl G. Rank
Attorney at Law
P.O. Box 480
Snoqualmie, Washington 98065

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
Chandler Plaza Building
1300 S. Evergreen Park Drive SW
Olympia, Washington 98504

Representative:

Jeffrey D. Goltz
Assistant Attorney General
Heritage Plaza Building
1400 S. Evergreen Park Drive SW
Mail Stop: FY-11
Olympia, Washington 98504
(206) 753-6405

To date, one interested person has filed comments on the Petition. That person is:

Gary B. Swofford
Vice President, Rates and Customer Programs
PUGET SOUND POWER & LIGHT COMPANY
Puget Power Building
Bellevue, Washington 98009

Representative:

William S. Weaver
Perkins Coie
One Bellevue Center, Suite 1800
411 108th Avenue Northeast
Bellevue, Washington 98004

A copy of those comments is available for inspection and copying at the Commission's office in Olympia.

Any party or interested person receiving this notice who fails to attend or participate may have its legal rights or obligations affected without the opportunity to participate in this proceeding.

If it deems it necessary or desirable to appear in this proceeding, the Office of the Attorney General, Public Counsel Division may appear on behalf of the public. The address of Public Counsel is: 900 Fourth Avenue, Suite 2000, TB-14, Seattle, Washington 98104. Telephone: (206) 464-6907

An Administrative Law Judge from the Utilities and Transportation Subdivision of the Office of Administrative Hearings, 2420 Bristol Ct. S.W., Building E, Mail Stop FS-34, Olympia, Washington 98504, (206) 753-6403, will be designated to preside at the hearing.

Either on the record at the conclusion of the hearing for which provision is made above or by subsequent written notice, there will be specified the time and place for such further hearings and remaining procedural phases herein, if any, as may be found necessary and appropriate.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION



PAUL CURL
Secretary

January 30, 1991

Inquiries may be addressed to:

The Secretary
Washington Utilities and
Transportation Commission
Chandler Plaza Building
1300 S. Evergreen Park Drive SW
Olympia, Washington 98504
(206) 753-6423

-or- Public Counsel Section
Office of Attorney General
Suite 2000
900 Fourth Avenue
Seattle, Washington 98164
(206) 464-6907