



Rob McKenna

ATTORNEY GENERAL OF WASHINGTON

Utilities and Transportation Division

1400 S Evergreen Park Drive SW • PO Box 40128 • Olympia WA 98504-0128 • (360) 664-1183

July 27, 2009

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

RE: *WUTC v. Puget Sound Energy, Inc. (2009 General Rate Case)*
Dockets UE-090704/UG-090705

Dear Mr. Danner:

Enclosed for filing in the above-referenced docket are the original and 16 copies of Commission Staff Response to Nucor Petition to Intervene, and Certificate of Service.

Sincerely,

ROBERT D. CEDARBAUM
Assistant Attorney General

RDC:klg
Enclosures
cc: Parties

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION,

Complainant,

v.

PUGET SOUND ENERGY, INC.,

Respondent.

DOCKETS UE-090704
and UG-090705 (consolidated)

COMMISSION STAFF RESPONSE
TO NUCOR PETITION TO
INTERVENE

1 On July 23, 2009, Nucor Steel Seattle, Inc. (Nucor) petitioned to intervene in these dockets, which involve a request by Puget Sound Energy, Inc. to increase its rates for electricity and natural gas service. Nucor's petition was filed one month after the prehearing conference on June 22, 2009. Yet, Nucor provided no explanation why it did not timely file a petition to intervene. Nor did Nucor show good cause to justify its late-filed petition to intervene. Both of these failures violate WAC 480-07-355(1)(b):

Any petition to intervene made after the deadline for filing or presenting the petition is a "late-filed petition to intervene." The commission will grant a late-filed petition to intervene only on a showing of good cause, including a satisfactory explanation of why the person did not timely file a petition.¹

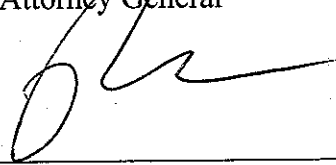
¹ The deadline for filing petitions to intervene was the date of the prehearing conference. *WUTC v. Puget Sound Energy, Inc.*, Order 02 at ¶ 8 (June 8, 2009).

Therefore the Commission should deny the late-filed petition to intervene of Nucor. In the alternative, the Commission should require Nucor to comply with WAC 480-07-355(1)(b). All other parties should then have the opportunity to respond to any new information Nucor submits.

DATED this 27th day of July, 2009.

Respectfully submitted,

ROBERT M. MCKENNA
Attorney General

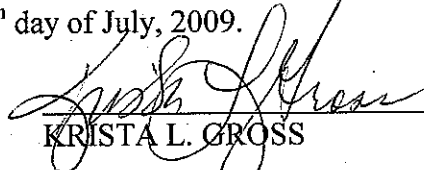


ROBERT D. CEDARBAUM
Assistant Attorney General
Counsel for Washington Utilities and
Transportation Commission Staff

Dockets UE-090704/UG-090705
CERTIFICATE OF SERVICE

I hereby certify that I have this day served the attached document upon the persons and entities listed on the Service List below by depositing a copy of said document in the United States mail, addressed as shown on said Service List, with first class postage prepaid.

DATED at Olympia, Washington this 27th day of July, 2009.


KRISTA L. GROSS

HC=Highly Confidential

C=Confidential

NC=Non-Confidential

Receive Highly Confidential:

For PSE:

Sheree Carson
Perkins Coie
10885 NE Fourth St Suite 700
Bellevue WA 98004-5579
Phone: (425) 635-1400
Fax: (425) 635-2400
E-mail: scarson@perkinscoie.com

For The Energy Project:

Ronald Roseman
Attorney at Law
2011 14th Avenue East
Seattle, WA 98112
Phone: (206) 324-8792
Fax: (206) 568-0138
E-mail: ronaldroseman@comcast.net

For The Kroger Co.:

Michael L. Kurtz
Kurt J. Boehm
Boehm, Kurtz & Lowry
36 East Seventh Street #1510
Cincinnati, OH 45202
Phone: (513) 421-2255
Fax: (513) 421-2764
E-mail: mkurtz@bkllawfirm.com
kboehm@bkllawfirm.com

For Cost Management Services, Inc.:

John A. Cameron
Davis Wright Tremaine
1300 SW Fifth Avenue #2300
Portland, OR 97201
Phone: (503) 241-2300
Fax: (503) 778-5299
E-mail: johncameron@dwt.com

For Federal Executive Agencies:

Norman Furuta
Department of the Navy
1455 Market Street #1744
San Francisco, CA 94103-1399
Phone: (415) 503-6994
Fax: 415) 503-6688
E-mail: Norman.furuta@navy.mil

Receive Confidential:

For Public Counsel:

Simon fitch
Sarah Shifley
Office of the Attorney General
Public Counsel
800 Fifth Ave Suite 2000
Seattle WA 98104-3188
Phone: (206) 389-2055
Fax: (206) 464-6451
E-mail: simonf@atg.wa.gov
Saras5@atg.wa.gov

For NWIGU:

Chad M. Stokes
Cable Huston Benedict
1001 SW 5th Suite 2000
Portland OR 97204
Phone (503) 224-3092
Fax: (503) 224-3176
E-mail: cstokes@cablehuston.com

For Seattle Steam Co.:

Elaine L. Spencer
Graham & Dunn PC
Pier 70 2801 Alaskan Way #300
Seattle, WA 98121
Phone: (206) 624-8300
Fax: (206) 340-9599
E-mail: espencer@grahamdunn.com

For Northwest Energy Coalition:

David S. Johnson
Attorney at Law
811 First Avenue, Suite 305
Seattle, WA 98104
Phone: (206) 621-0094
Fax: 206-621-0097
E-mail: David@nwenergy.org

For ICNU:

S. Bradley Van Cleve
Irion Sanger
333 S.W. Taylor, Suite 400
Portland, OR 97204
Phone: (503) 241-7242
Fax: (503) 241-8160
E-mail: bvc@dvclaw.com
ias@dvclaw.com
dvc@dvclaw.com