

**BEFORE THE WASHINGTON STATE  
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND	)	DOCKETS UE-090704
TRANSPORTATION COMMISSION,	)	and UG-090705 ( <i>consolidated</i> )
	)	
Complainant,	)	
	)	ORDER 05
v.	)	
	)	
PUGET SOUND ENERGY, INC.,	)	GRANTING LATE-FILED
	)	PETITION TO INTERVENE
Respondent.	)	
	)	
.....	)	

**MEMORANDUM**

1 On May 8, 2009, Puget Sound Energy, Inc. (PSE), filed with the Washington Utilities and Transportation Commission (Commission) to increase its rates for electric service (Docket UE-090704) and gas service (Docket UG-090705) to customers in Washington. The Commission suspended operation of the tariffs by Order 01 entered in these dockets following the May 28, 2009, open meeting. The Commission consolidated these dockets by Order 02, entered on June 8, 2009, and convened a prehearing conference at Olympia, Washington on June 22, 2009.

2 The following businesses and organizations filed petitions to intervene or petitioned orally and were granted intervenor status following the prehearing conference:

- |  |                                |
|--|--------------------------------|
| ICNU   | Federal Executive Agencies     |
| NWIGU  | The Energy Project             |
| Seattle Steam Company  | NWEC                           |
| Kroger Company on behalf of<br>its Fred Meyer Stores and<br>Quality Food Centers | Cost Management Services, Inc. |

- 3 On July 24, 2009, Nucor Steel Seattle, Inc. (Nucor), filed its Petition to Intervene, stating its interest as “a major [natural gas] transportation customer of PSE.” Nucor states it has not yet determined what, if any, positions it will take on issues raised, but commits that its participation would not broaden the issues in this proceeding.
- 4 On July 27, 2009, Commission Staff (Staff) filed its Response to Nucor’s Petition to Intervene. Staff states the Commission should deny the petition because it is late-filed (*i.e.*, approximately one month after the deadline for timely intervention), yet Nucor neither explained why it did not timely file nor showed good cause to justify its late-filed petition, as required by WAC 480-07-355(1)(b). Staff proposes as alternative relief that Nucor be required to conform its petition to the rule’s requirements.
- 5 On July 30, 2009, Nucor filed a response to Staff stating in relevant part:
- At the time of the . . . prehearing conference of June 22, 2009, Nucor's representatives were engaged in the process of evaluating PSE's filing to determine whether Nucor had a substantial interest in the proceeding that warranted Nucor's participation. In fact, PSE scheduled an informational meeting about this proceeding for "Major Accounts" on June 22, 2009. As of June 22, 2009, Nucor had not authorized the filing of a petition to intervene.
- 6 While the timing of PSE’s informational meeting about this proceeding provides a rationale for Nucor’s evaluation of the case being incomplete, and the company being undecided about whether to expend the resources to intervene at the time of the prehearing conference, it does not explain why Nucor’s petition was not filed until a month later. Were the procedural schedule not at a relatively early stage, such delay on Nucor’s part would incline the Commission to deny the company’s petition. However, the case is at a relatively early point in its development insofar as dates for testimony and hearings are concerned, no one other than Staff raises any objection to Nucor’s participation, and the public interest may benefit from having the perspective of a major natural gas transportation customer brought to bear. It accordingly is appropriate to grant Nucor’s late-filed petition, as amended by its response of July 30, 2009.

7 Parties should add to the service list in this proceeding:

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An updated Appendix 1 to Order 04—Prehearing Conference, showing the parties' representatives and other contacts, is attached to this Order.

**ORDER**

8 THE COMMISSION ORDERS That the late-filed Petition To Intervene of Nucor Steel Seattle, Inc., is granted.

Dated at Olympia, Washington, and effective July 30, 2009.

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

DENNIS J. MOSS  
Administrative Law Judge

**APPENDIX A-1**

**PARTIES' REPRESENTATIVES  
 DOCKET UE-090704 and UG-090705**

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