

BRICKFIELD BURCHETTE
RITTS & STONE, PC

WASHINGTON, D.C.
AUSTIN, TEXAS

July 29, 2009

**VIA ELECTRONIC SUBMISSION
& FEDERAL EXPRESS**

Mr. David Danner
Executive Director & Secretary
Washington Utilities and Transportation Commission
1300 S. Evergreen Park Drive, S.W.
Olympia, Washington 98504-7250

Re: WUTC v. Puget Sound Energy
Docket Nos. UE-090704/UG-090705 (consolidated)

Dear Mr. Danner:

Please find enclosed the originals and sixteen (16) copies of Nucor Steel Seattle, Inc.'s Response to Commission Staff's Response to Nucor's Petition to Intervene in the above-referenced proceeding.

An electronic copy of this filing will be provided to the Records Center and all parties listed on the current service list. Please contact the undersigned if you have any questions or concerns regarding this matter.

Sincerely,



Damon E. Xenopoulos, Esq.
Peter G. Haller, Esq.
Brickfield, Burchette, Ritts & Stone, P.C.
1025 Thomas Jefferson Street, N.W.
8th Floor, West Tower
Washington, D.C. 20007
Phone: (202) 342-0800
Facsimile: (202) 342-0807
dex@bbrslaw.com

Enclosure
cc: Service List

RECEIVED
RECORDS MANAGEMENT
2009 JUL 30 AM 10:36
STATE OF WASH.
UTIL. AND TRANSP.
COMMISSION

BEFORE THE

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND) DOCKET UE-090704
TRANSPORTATION COMMISSION,)
) DOCKET UG-090705
Complainant,) (*consolidated*)
))
v.) NUCOR STEEL SEATTLE, INC.
) RESPONSE TO COMMISSION STAFF
PUGET SOUND ENERGY, INC.,) RESPONSE TO NUCOR's PETITION
) TO INTERVENE
Respondent.)
)

STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION
COMMISSION

2009 JUL 30 AM 10:37

RECEIVED
RECORDS MANAGEMENT

Pursuant to WAC § 480-07-375(4), Nucor Steel Seattle, Inc. ("Nucor") hereby responds to Commission Staff's Response of July 27, 2009 to Nucor's Petition to Intervene in the above-referenced proceeding before the Washington Utilities and Transportation Commission ("Commission").

1. As set forth in Commission Order 02 issued June 8, 2009, the Commission directed that (i) written petitions to intervene should be filed with Commission at least three business days before the prehearing conference scheduled for June 22, 2009, or (ii) oral petitions to intervene could be made during the conference.

2. On July 23, 2009, Nucor filed its petition to intervene in the above-referenced consolidated proceeding, which involves a request by Puget Sound Energy, Inc. ("PSE") for an order authorizing a general increase in its rates for electricity and natural gas service.

3. On July 27, 2009 Commission Staff filed a response to Nucor's petition to intervene, requesting that the Commission either deny Nucor's late-filed petition to intervene or, in the alternative, require Nucor to comply with WAC § 480-07-355(b), which requires "a

showing of good cause, including a satisfactory explanation of why the person did not timely file a petition”.

4. To the extent the Commission deems the Commission Staff’s request to be a “motion” under WAC § 480-07-375(1) and/or in the interest of providing the Commission with the information required by WAC § 480-07-355(b) as expeditiously as possible, Nucor respectfully provides the following response to Commission Staff, including an explanation as to why a petition to intervene was not timely filed.

5. At the time of the aforementioned 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. Nucor subsequently authorized the filing of a petition to intervene. Accordingly, Nucor’s counsel proceeded to file a petition to intervene.

7. Nucor therefore has good cause for submitting its admittedly late-filed petition to intervene and, per Nucor’s Petition to Intervene, Nucor has a substantial interest in this proceeding and the public interest will be served by Nucor’s participation.

8. Nucor accepts the record in this proceeding as it finds it.

WHEREFORE, Nucor respectfully requests that the Commission grant Nucor leave to participate in this proceeding with full rights as a party.

DATED this 29th day of July, 2009.

Respectfully submitted,



Damon E. Xenopoulos, Esq.
Shaun C. Mohler, Esq.
Peter G. Haller, Esq.
BRICKFIELD, BURCHETTE, RITTS & STONE, P.C.
1025 Thomas Jefferson Street, N.W.
Eighth Floor-West Tower
Washington, D.C. 20007
Telephone: (202) 342-0800
Facsimile: (202) 342-0807

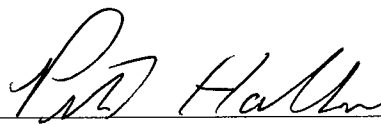
Attorneys for Nucor Steel Seattle, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served via e-mail and/or first class mail this 29th day of July 2009, to the following:

<p>Sheree Carson Perkins Coie Representing Puget Sound Energy, Inc. 10885 NE Fourth St., Ste. 700 Bellevue, WA 98004 scarson@perkinscoie.com</p>	<p>Robert D. Cederbaum Michael Fassio WUTC – Attorney General Office 1400 S. Evergreen Park Dr., SW P.O. Box 40128 Olympia, WA 98504-0128 bcedarba@wutc.wa.gov mfassio@utc.wa.gov</p>
<p>Simon J. ffitich Sara Shifley Office of the Attorney General Public Counsel 800 Fifth Avenue, Ste. 2000 Seattle, WA 98104-3188 simonf@atg.wa.gov sarah.shifley@atg.wa.gov</p>	<p>S. Bradley Van Cleve Irion Sanger Davison Van Cleve, P.C. Representing ICNU 333 SW Taylor, Suite 400 Portland, OR 97204 bvc@dvclaw.com ias@dvclaw.com</p>
<p>Chad M. Stokes Cable Huston Benedict Haagensen & Lloyd, LLP Representing NWIGU 1001 S.W. Fifth Ave., Suite 2000 Portland, OR 97204-1136 estokes@chbh.com</p>	<p>Elaine L. Spencer Graham & Dunn PC Representing Seattle Steam Company Pier 70, Suite 300 2801 Alaskan Way Seattle, WA 98121-1128 espencer@grahamdunn.com</p>

<p>Michael L. Kurtz Kurt J. Boehm Boehm, Kurtz & Lowry Representing The Kroger Co. 36 E. Seventh St. Suite 1510 Cincinnati, OH 45202 mkurtz@BKLLawfirm.com kboehm@BKLLawfirm.com</p>	<p>Norman Furuta, Associate Counsel Department of the Navy Representing Federal Executive Agencies 1455 Market Street, Suite 1744 San Francisco, CA 94103-1399 Norman.furuta@navy.mil</p>
<p>Ronald L. Roseman Attorney at Law Representing The Energy Project 2011 – 14th Avenue East Seattle, WA 98112 ronaldroseman@comcast.net</p>	<p>John A. Cameron David Wright Tremaine Representing Cost Management Services, Inc. 1300 SW Fifth Avenue, Suite 2300 Portland, OR 97201 johncameron@dwt.com</p>
<p>David S. Johnson Attorney Representing Northwest Energy Coalition 811 First Avenue South, Suite 305 Seattle, WA 98104 david@nwenergy.org</p>	



Peter G. Haller, Esq.