

BEFORE THE WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND  
TRANSPORTATION COMMISSION,

Complainant,

v.

PUGET SOUND ENERGY, INC.,

Respondent.

DOCKET UG-110723

OBJECTION OF COMMISSION  
STAFF TO PREHEARING  
CONFERENCE ORDER 02

1 On August 24, 2011, the Commission issued Prehearing Conference Order 02 in this docket. In doing so, the Commission confirmed that discovery will be conducted pursuant to Commission rules.<sup>1</sup> The Commission also adopted a procedural schedule proposed by the Company that includes only 10 calendar days between filing of Company rebuttal (November 8, 2011) and evidentiary hearings (November 18, 2011).<sup>2</sup>

2 Pursuant to Commission discovery rules, the response time for data requests is 10 *business* days after the request is received.<sup>3</sup> This response time after Company rebuttal substantially prejudices Staff given that only 10 *calendar* days fall between rebuttal and the hearing. Unless the response time is reduced, Company responses to data requests would not be due until after the hearing even if Staff submitted its data requests the same day that Company rebuttal is filed with the Commission.

---

<sup>1</sup> Order 02 at ¶2.

<sup>2</sup> Order 02 at Appendix B.

<sup>3</sup> WAC 480-07-405(7)(b).

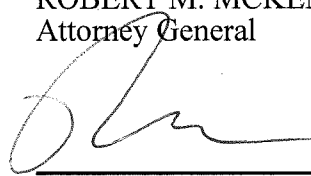
3           Therefore, the Commission should revise Order 02 by reducing the data request response time to 2 business days after November 8, 2011. This will allow Staff and other parties to receive responses to data requests before the hearing. Moreover, since the Company has argued that this case is primarily a straightforward “policy call” with little or no factual issues, a 2 business day response time should not burden the Company.

4           Finally, Order 02 notes correctly that Staff does not support the adopted procedural schedule and could not recommend any schedule until after the Company files its direct testimony on September 2, 2011, other than consolidation with the Company’s general rate case in Dockets UE-111048 and UG-111049.<sup>4</sup> Staff, therefore, reserves the right to seek revisions to the schedule adopted by Order 02. That request may later become necessary depending upon the nature of the direct testimony to be filed by the Company or the Commission’s decision on the pending Joint Motion of Staff, Public Counsel and the Northwest Industrial Gas Users to consolidate this docket with the general rate case.

DATED this 1<sup>st</sup> day of September 2011.

Respectfully submitted,

ROBERT M. MCKENNA  
Attorney General



ROBERT D. CEDARBAUM

---

<sup>4</sup> Order 02 at ¶7.