

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

In the Matter of the Petition of	)	
	)	DOCKET U-101217
	)	
PUGET SOUND ENERGY, INC.,	)	
	)	ORDER 02
	)	
For a Declaratory Order Regarding the	)	PREHEARING CONFERENCE
Transfer of Assets to Jefferson County	)	ORDER
Public Utility District	)	<b>(Hearing Scheduled for</b>
	)	<b>February 9, 2011, at 9:30 a.m.)</b>
.....	)	

1 **NATURE OF PROCEEDING.** On July 15, 2010, Puget Sound Energy, Inc. (PSE or the Company) filed with the Washington Utilities and Transportation Commission (Commission) a petition for a declaratory order concerning the transfer of certain assets from PSE to Public Utility District #1 of Jefferson County (JPUD). PSE asks the Commission to enter an order declaring that:

1. Transfer of the assets is authorized by RCW 80.12.020 (2) and no further action is required by the Commission to approve the transfer of the Assets for purposes of RCW 80.12.020.
2. The amount of the purchase price is an amount that is sufficient to fully compensate PSE for the sale of the assets.
3. The provisions of the Asset Purchase Agreement pertaining to PSE's transition of its responsibilities to provide electrical service to its customers in the affected service territory are sufficient and consistent with PSE's public service obligations.

2 **PARTY REPRESENTATIVES.** Sheree Strom Carson, Perkins Coie, Bellevue, Washington, represents PSE. Arthur A. Butler and Joel R. Paisner, Ater Wynne LLP,

Seattle Washington, and Kirk H. Gibson, attorney, Portland, Oregon, represent JPUD. Robert D. Cedarbaum, Senior Assistant Attorney General, Olympia, Washington, represents the Commission's regulatory staff (Commission Staff or Staff).<sup>1</sup> Simon ffitch and Sarah A. Shifley, Assistant Attorneys General, Seattle, Washington, represent the Public Counsel Section of the Washington Office of Attorney General (Public Counsel).

3 **PETITIONS TO INTERVENE.** JPUD, having a direct and substantial interest in the outcome of this proceeding is granted full party status as an intervenor.

4 **PROTECTIVE ORDER.** The Commission, acting on PSE's motion, entered a protective order in this docket on July 30, 2010, pursuant to RCW 34.05.446, RCW 80.04.095, WAC 480-07-420 and WAC 480-07-423, to facilitate discovery.

5 **DISCOVERY.** Discovery will continue pursuant to the Commission's discovery rules, WAC 480-07-400 – 425. The response time for data requests is reduced to five business days. In addition, to expedite the exchange of potentially relevant information, all parties are required to provide all work papers, including model runs and source documents, at the time they prefile testimony and exhibits. The Commission urges the parties to work cooperatively together to avoid having to bring discovery matters forward for formal resolution.

6 **PROCEDURAL SCHEDULE.** The parties agreed on a procedural schedule, leaving it to the Commission to set a hearing date in early February. The procedural schedule is set forth below and in Appendix B to this Order.

Prefiled Direct Testimony	July 15, 2010
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Settlement Conference (Parties only)	December 3, 2010
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<sup>1</sup> In formal proceedings, such as this, the Commission's regulatory staff participates like any other party, while the Commissioners make the decision. To assure fairness, the Commissioners, the presiding administrative law judge, and the Commissioners' policy and accounting advisors do not discuss the merits of this proceeding with the regulatory staff, or any other party, without giving notice and opportunity for all parties to participate. *See, RCW 34.05.455.*

Staff, Public Counsel, and Intervenor Response Testimony	December 21, 2010
Company, Rebuttal and Cross- Answering Testimony	January 18, 2011
Evidentiary Hearing	February 9, 2011

7 **NOTICE OF HEARING.** The Commission will hold evidentiary hearings in this matter beginning **February 9, 2011, at 9:30 a.m.**, in the Commission's Hearing Room, Second Floor, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.

8 **DOCUMENT PREPARATION AND FILING REQUIREMENTS.** Parties must file the original plus **nine (9)** copies of the unredacted versions of all pleadings, motions, briefs, and other prefiled materials. Parties must also file the original and one copy of any redacted version(s). These materials must conform to the format and publication guidelines in WAC 480-07-395 and WAC 480-07-460. The Commission prefers that materials be three-hole punched with *oversized* holes to allow easy handling. The Commission may require a party to refile any document that fails to conform to these standards.

9 All filings must be mailed or delivered to the Executive Secretary, Washington Utilities and Transportation Commission, P.O. Box 47250, 1300 S. Evergreen Park Drive, S.W. Olympia, Washington 98504-7250. Both the post office box and street address are required to expedite deliveries by the U.S. Postal Service.

10 **ELECTRONIC SUBMISSION OF DOCUMENTS.** Parties may submit documents electronically to the Commission on the filing deadline to expedite the filing process, but must file an original, plus nine (9) paper copies of the documents with the Commission by 12:00 noon on the first business day following the filing deadline established in the procedural schedule. *WAC 480-07-145(6)*. Parties may submit documents electronically through the Commission's Web Portal

([www.utc.wa.gov/e-filing](http://www.utc.wa.gov/e-filing)) or by e-mail to [records@utc.wa.gov](mailto:records@utc.wa.gov). Parties are requested to simultaneously provide e-mail courtesy copies of filings to the presiding administrative law judge.

- 11 **ALTERNATIVE DISPUTE RESOLUTION.** The Commission supports the informal settlement of matters before it. Parties are encouraged to consider means of resolving disputes informally. The Commission does have limited ability to provide dispute resolution services; if you wish to explore those services, please call the Director, Administrative Law Division, at 360-664-1144.
- 12 **NOTICE TO PARTIES.** A party who objects to any portion of this Order must file a written objection within ten calendar days after the service date of this Order, pursuant to WAC 480-07-430 and WAC 480-07-810. The service date appears on the first page of the order in the upper right-hand corner. Absent such objection, this Order will control further proceedings in this matter, subject to Commission review.

DATED at Olympia, Washington, and effective August 27, 2010.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DENNIS J. MOSS  
Administrative Law Judge

**APPENDIX A**

**PARTIES' REPRESENTATIVES  
DOCKET U-101217**

	<b>REPRESENTATIVE</b>	<b>PHONE</b>	<b>FACSIMILE</b>	<b>E-MAIL</b>
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Public Counsel	Simon ffitch Sarah A. Shifley Public Counsel Section Office of Attorney General 800 5 <sup>th</sup> Avenue, Suite 2000 Seattle, WA 98104-3188	206-389-2055	206-464-6451	<a href="mailto:simonf@atg.wa.gov">simonf@atg.wa.gov</a>  <a href="mailto:sarah.shifley@atg.wa.gov">sarah.shifley@atg.wa.gov</a>

**APPENDIX B**

**PROCEDURAL SCHEDULE  
DOCKET U-101217**

<i>EVENT</i>	<i>DATE</i>	<i>INTERVAL</i>
Prefiled Direct Testimony	July 15, 2010	
Settlement Conference	December 3, 2010	
Staff, Public Counsel, and Intervenor Response Testimony	December 21, 2010	141 days
Rebuttal and Cross-Answering Testimony	January 18, 2011	46 days
Evidentiary Hearing	February 9, 2011	22 days