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BEFORE THE WASHINGTON STATE  
UTILITIES AND TRANSPORTATION COMMISSION

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WASHINGTON UTILITIES AND ) Docket UE-120277  
TRANSPORTATION COMMISSION, ) Pages 1-10  
) )  
v. ) )  
) )  
Complainant, ) )  
) )  
PUGET SOUND ENERGY, INC. ) )  
) )  
Respondent. ) )

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PREHEARING CONFERENCE, VOLUME I

Pages 1-10

ADMINISTRATIVE LAW JUDGE DENNIS J. MOSS

1:30 P.M.

May 31, 2012

Washington Utilities and Transportation Commission  
1300 South Evergreen Park Drive Southwest  
Olympia, Washington 98504-7250

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A P P E A R A N C E S

ADMINISTRATIVE LAW JUDGE:

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(Continued...)

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OLYMPIA, WASHINGTON, MAY 31, 2012

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1:30 P.M.

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P R O C E E D I N G S

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JUDGE MOSS: Let's go on the record.

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Good afternoon, everybody. My name is Dennis Moss.

7

I'm an administrative law judge with the Washington Utilities

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and Transportation Commission. I have been designated as the

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presiding officer in the matter styled WUTC -- well, why is it

10

styled as a -- oh, it's a complaint now. That's right. Okay.

11

Never mind -- WUTC against PSE. It's in connection with filed

12

revisions to PSE's Schedule 95 A-Federal Incentive Tracker,

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Docket No. UE-120277.

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At the Commission's last recessed open meeting on

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this matter, there was a decision to suspend this matter and set

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it for hearing. However, I'm viewing this matter -- and I

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believe the Commissioners agree with my view of the matter --

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that it is one that can be resolved without much in the way of

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further process.

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We have already a brief and reply brief from PSE, and

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we have response briefs, as they're being called, even though we

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were not in adjudication at the time, by Mr. Cedarbaum, on

23

behalf of the Staff, and Mr. Sanger, I believe, filed on behalf

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of ICNU.

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So we have all that paper. There do not appear to

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1 me, subject to someone telling me different, to be any material  
2 facts in dispute, so it seems to be a matter that can be  
3 resolved in the fashion of cross-motion for summary  
4 determination type of approach.

5 As far as I know, the only other person today who  
6 wishes to -- or who has made an appearance, if you will, is  
7 Public Counsel, and I'll hear from them momentarily. But I  
8 realize I'm getting ahead of myself here in that I have not had  
9 the parties enter their appearances yet, so I will do that.

10 And, Ms. Carson, let me start with you.

11 MS. CARSON: Good afternoon, Your Honor. Sheree  
12 Strom Carson with Perkins Coie representing Puget Sound Energy.  
13 My address is 10885 Northeast Fourth Street, Suite 700,  
14 Bellevue, Washington 98004. Phone is: 425.635.1400. Fax:  
15 425.635.2422.

16 JUDGE MOSS: All right. And since I've started on  
17 the telephone, let's proceed that way.

18 Mr. Sanger, would you enter your appearance, please?

19 MR. SANGER: Yes. Thank you.

20 My name is Irion Sanger. That's I-r-i-o-n,  
21 S-a-n-g-e-r.

22 Would you like my address?

23 JUDGE MOSS: I think we can dispense with that and  
24 just take the short form, because we have enough paper in this  
25 file already. We have all the addresses and so forth and

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1 information, so if the reporter needs anything like that, I can  
2 get it to her.

3 Well, Mr. ffitch, we have your counsel in the room  
4 here.

5 Did you want to enter an appearance as well?

6 MR. FFITCH: Yes, Your Honor, just for the record,  
7 but we have filed a notice of appearance with the information --

8 JUDGE MOSS: Yes.

9 MR. FFITCH: -- address information, and then  
10 Ms. Gafken also will appear for us today.

11 JUDGE MOSS: All right. Ms. Gafken, why don't you go  
12 ahead.

13 MS. GAFKEN: Lisa Gafken, Assistant Attorney General,  
14 on behalf of Public Counsel.

15 And I'm assuming from the discussion, that you don't  
16 need the full appearance.

17 JUDGE MOSS: I think we can have the short form  
18 today. We do have your notice of appearance.

19 MS. GAFKEN: Yes.

20 JUDGE MOSS: And let me take this opportunity to  
21 welcome you back, albeit in a different role, to the exalted  
22 halls of the Washington Utilities and Transportation Commission.

23 MS. GAFKEN: Thank you very much.

24 JUDGE MOSS: Thank you.

25 Mr. Cedarbaum, your appearance?

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1 MR. CEDARBAUM: Thank you, Your Honor. Robert  
2 Cedarbaum, Assistant Attorney General, representing Commission  
3 Staff.

4 JUDGE MOSS: All right. Is there anyone else who  
5 wishes to enter an appearance today?

6 All right. I'll note Mr. DeBoer's presence near the  
7 front of the room here on behalf of his company, and he's been  
8 involved in this from the get-go. And I see Mr. Story.  
9 Welcome back to you as well, sir.

10 All right. Well, ICNU did file a petition to  
11 intervene and, of course, they have participated actively in  
12 this matter thus far.

13 I'm just going to assume, subject to being corrected,  
14 that there's no objection to ICNU's participation as an  
15 intervenor?

16 MS. CARSON: No objection from PSE.

17 JUDGE MOSS: All right. Well, hearing no objection,  
18 the petition will be granted.

19 Now, let me turn, then, to what may be our only  
20 matter of business this afternoon.

21 I wanted to ask Ms. Gafken: I'm assuming, again,  
22 subject to being corrected by you in this instance, that Public  
23 Counsel is sympathetic to one view of this matter or another; is  
24 that correct?

25 MS. GAFKEN: That's correct. I guess at the outset,

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1 I do want to make clear that we understand that there's no  
2 further process anticipated in this matter, and that the record  
3 is right for determination. And we have no objection about that  
4 and having the proceeding go forward as anticipated under the  
5 stipulated facts, and treating the briefing as cross-motions for  
6 summary determination, so there's no objection from Public  
7 Counsel about that.

8 JUDGE MOSS: Great.

9 MS. GAFKEN: Yeah, so this should be fairly short.

10 The only other thing that I would note is that if  
11 there end up being other processes after this, then we would  
12 certainly participate.

13 JUDGE MOSS: Okay. Well, thank you very much. I  
14 appreciate that. And we will, as I mentioned before, proceed in  
15 that fashion. We'll simply take the briefs.

16 And I think the matter has been thoroughly  
17 presented --

18 MS. GAFKEN: Right.

19 JUDGE MOSS: -- and well-presented, I might add. I  
20 thought it was very well-written, everybody.

21 MS. GAFKEN: And to answer your question about  
22 whether we're sympathetic to one side or the other, probably no  
23 surprise. We do support the positions that have been briefed by  
24 Commission Staff and ICNU.

25 JUDGE MOSS: All right. And I suppose that in any



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1 order the Commission enters, that will be duly noted even though  
2 you didn't file.

3 So is there any other matter of business we need to  
4 take up this afternoon?

5 All right. Well, I previously made a commitment to  
6 get this thing handled expeditiously, and I think that is in the  
7 Commissioners' interest and in everyone's best interest. So I  
8 will proceed to work with them and try to get an order out in  
9 this fairly short period of time so we can move on with our  
10 lives and do other things, all right?

11 With that, we are adjourned. Thank you very much.

12 (Proceeding concluded at 1:37 p.m.)

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3 STATE OF WASHINGTON )

) ss

4 COUNTY OF KING )

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6 I, SHELBY KAY K. FUKUSHIMA, a Certified Shorthand Reporter  
7 and Notary Public in and for the State of Washington, do hereby  
8 certify that the foregoing transcript is true and accurate to  
9 the best of my knowledge, skill and ability.

10 IN WITNESS WHEREOF, I have hereunto set my hand and seal  
11 this 11th day of June, 2012.

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SHELBY KAY K. FUKUSHIMA, CCR

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18 My commission expires:

June 29, 2013

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