

SERVICE DATE

JAN 14 1999

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

AIR LIQUIDE AMERICA)
 CORPORATION, AIR PRODUCTS)
 AND CHEMICALS, INC., THE)
 BOEING COMPANY, EQUILON)
 ENTERPRISES LLC, AND TESORO)
 NORTHWEST COMPANY,)
)
 Complainant,)
 v.)
)
 PUGET SOUND ENERGY,)
)
 Respondent.)
)

DOCKET NO. UE-981410

PREHEARING CONFERENCE ORDER

PREHEARING CONFERENCE: Administrative Law Judge Dennis J. Moss conducted a prehearing conference at the Washington Utilities and Transportation Commission offices in Olympia, Washington on January 8, 1999. This was a joint conference with *Washington Utilities and Transportation Commission v. Puget Sound Energy*, Docket No. UE-981238, a related tariff proceeding.

PARTIES: Matthew Harris, attorney, Seattle, Washington, represents Puget Sound Energy (PSE). Bradley Van Cleve, attorney, Portland, Oregon, and Melinda J. Horgan, attorney, Portland, Oregon, represent Air Liquide America Corporation, Air Products and Chemicals, Inc., The Boeing Company, Equilon Enterprises LLC, and Tesoro Northwest Company. Simon ffitich, Assistant Attorney General, Seattle, Washington, represents Public Counsel. Robert Cedarbaum, Assistant Attorney General, Olympia, Washington represents Commission Staff (Staff).

DISCOVERY: This proceeding is the type described in WAC 480-09-480(2)(c) and the parties request the opportunity for discovery. The discovery rule, WAC 480-09-480, is invoked. Discovery may commence immediately. Parties are required to limit discovery to that necessary to their respective cases, and parties should cooperate to facilitate discovery and resolve informally any disputes. Any discovery dispute referred to the Commission by motion must state what steps the parties have taken to resolve the dispute. Subject to contrary agreement between parties, parties to whom discovery is directed after February 26, 1999, will respond within five business days. Final data requests must be served no later than five days before the evidentiary hearing proceedings to which the discovery pertains.

PROTECTIVE ORDER: The parties anticipate that certain confidential information will be required and request a protective order. A protective order

consistent in substance with the form typically used in Commission proceedings will be issued to protect the parties' interests in insulating confidential information from public disclosure.

COORDINATION BETWEEN DOCKETS; WAIVER OF STATUTORY

DEADLINE: This proceeding is being conducted in coordination with proceedings in *WUTC v. Puget Sound Energy*, Docket No. UE-981238. The parties, who are the same in both proceedings, expressed a strong preference for attaining Commission determination in this docket before going forward in Docket No. UE-981238 and that procedure is adopted. The parties in Docket No. UE-981238 agree to extend the statutory deadline provided under RCW 80.04.130 for a three month period to accomodate later commencement in Docket No. UE-981238.

HEARINGS: Evidentiary hearings will commence in a Commission hearing room on May 11, 1999, at 9:30 a.m. and continue from day to day until completed; three days are anticipated. Parties and their witnesses should arrive promptly at the indicated time and place prepared with exhibits for pre-marking and with estimates of cross-examination time anticipated for each witness.

INITIAL ORDER: The parties waive their right to entry of an initial order consistent with the waiver in Docket No. UE-981238. Waiver is granted and the record will be submitted directly to the Commission for decision and entry of a final order.

SCHEDULE: The following schedule is established for the remainder of the case by agreement among the parties:

Customers file Direct Case	February 26, 1999
PSE files Direct Case	March 22, 1999
Staff and Public Counsel file Direct Case	April 12, 1999
Customers file Rebuttal Case Company files Rebuttal to Staff and Public Counsel, if necessary	April 26, 1999
Evidentiary Hearing	May 11-13, 1999
Briefs filed	June 1, 1999

WITNESS AND EXHIBITS LISTS: At least three (3) business days before the first hearing day, each party must provide the presiding Administrative Law Judge and each other party a list of witnesses in the order they will appear along with a list of exhibits sponsored by each witness. Exhibits expected to be used in cross-

examination also should be identified and copies provided to other parties. This requirement is to facilitate case management; the lists and cross-examination exhibits should not be filed with the Commission. Lists may be provided by facsimile or other electronic transmission; the presiding Administrative Law Judge's facsimile number is (360) 664-2654. Copies may instead be furnished by mail or hand-delivery with the ALJ's courtesy copies addressed to him directly and not sent via the Commission Secretary.

FILING; COPIES OF MATERIALS: Filing can be accomplished only by mail delivery to the Commission Secretary, Washington Utilities and Transportation Commission, P.O. Box 47250, 1300 S. Evergreen Park Drive, S.W. Olympia, Washington 98504-7250, or by hand delivery to the Commission Secretary via the Commission's records center at the Washington Utilities and Transportation Commission, 1300 S. Evergreen Park Drive, S.W., Olympia, Washington, 98504. **Both the post office box and street address are required to expedite deliveries by U.S. Mail.** An original plus twelve (12) copies of all pleadings, motions, briefs, and other prefiled materials must be filed with the Commission.

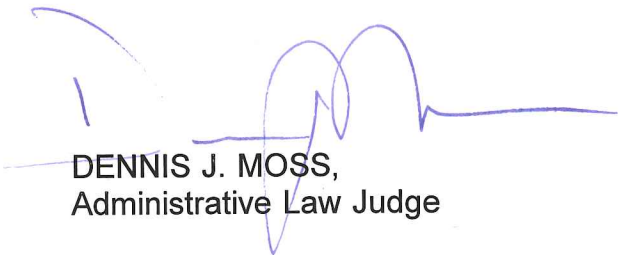
Parties must bring adequate copies of exhibits to the hearing to allow distribution of two copies to the Administrative Law Judge, one copy to the reporter, and one copy each to the witness and the parties. Exhibits provided the parties via prehearing exchange of prefiled testimony and exhibits need not be provided to those parties again at hearing.

ALTERNATIVE DISPUTE RESOLUTION; SETTLEMENT: The parties' attention is directed to WAC 480-09-465, "Alternative dispute resolution," and WAC 480-09-466, "Settlement conferences." The Commission urges all parties to formal adjudications to include alternative methods to bring resolution to contested issues.

NOTICE TO PARTIES: Any objection to the provisions of this Order must be filed within ten (10) days after the date of mailing of this statement, pursuant to WAC 480-09-460(2). Absent such objections, this prehearing conference order will control further proceedings in this matter, subject to Commission review.

DATED at Olympia, Washington, and effective this 13TH day of January, 1999.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION


DENNIS J. MOSS,
Administrative Law Judge

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SERVICE LIST UE-981410

Parties are required to effect service of all filings as follows:

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