



STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION
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August 5, 2014

**NOTICE SUSPENDING RESPONSE DEADLINES AND
PROVIDING OPPORTUNITY TO FILE PROPOSALS
(Due Tuesday, August 26, 2014)**

**NOTICE OF PREHEARING CONFERENCE
(Scheduled for Friday, September 19, 2014, at 10:00 a.m.)**

Re: *In the Matter of the Petition of Puget Sound Energy and NW Energy Coalition For an Order Authorizing PSE to Implement Electric and Natural Gas Decoupling Mechanisms and to Record Accounting Entries Associated with the Mechanisms, Dockets UE-121697 and UG-121705 (Consolidated)*

Washington Utilities and Transportation Commission v. Puget Sound Energy, Dockets UE-130137 and UG-130138 (Consolidated)

TO ALL PARTIES:

On July 25, 2014, the Thurston County Superior Court (Court) reversed in part the order of the Washington Utilities and Transportation Commission (Commission) in these consolidated dockets determining that the rates to be charged by Puget Sound Energy as a result of this proceeding are fair, just, reasonable, and sufficient.¹ The Court concluded that “the Commission’s findings of fact with respect to the return on equity component of Puget Sound Energy, Inc.’s cost of capital in the context of a multi-year rate plan are unsupported by substantial evidence and the Commission improperly shifted the burden of proof on this issue from Puget Sound Energy, Inc. to the other parties in the proceeding below, contrary to RCW 34.05.461(4) and RCW 80.04.130(4).”² The Court

¹ *Industrial Customers of Northwest Utilities v. Washington Utilities and Transportation Commission, et al.*, Thurston County Superior Court Case Nos. 13-2-01576-2 and 13-201582-7 (consolidated), Order Granting in Part and Denying in Part Petitions for Judicial Review (July 25, 2014).

² *Id.* at 2, lines 18-24.

remanded the case to the Commission “to establish fair, just, reasonable and sufficient rates to be charged under the rate plan, and to order any other appropriate relief.”³

On July 30, 2014, the Industrial Customers of Northwest Utilities (ICNU) filed a Motion to Modify Order 07 (Motion), and on July 31, 2014, ICNU filed a Petition for Accounting Order (Petition). These filings represent ICNU’s view of how the Commission should comply with the Court’s order.

The Commission suspends the deadlines for filing responses to ICNU’s Motion and Petition. Rather than address the substantive issues through these pleadings and comparable filings from other parties, the Commission first seeks proposals on the appropriate procedure for resolving the issues on remand. The Commission will address these proposals and any other procedural options at a prehearing conference and will set a schedule for resolving the substantive issues. The Commission will determine at that time when to provide the other parties with the opportunity to respond to ICNU’s filings.

THE COMMISSION GIVES NOTICE That the deadlines for responding to ICNU’s Motion and Petition are suspended and that parties should file proposals for the procedure the Commission should use on remand to comply with the Court’s Order by Tuesday, August 26, 2014.

THE COMMISSION GIVES FURTHER NOTICE That it will conduct a prehearing conference to address the appropriate procedure on remand and to establish an appropriate procedural schedule on Friday, September 19, 2014, beginning at 10:00 a.m., in Room 206, Second Floor, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.

GREGORY J. KOPTA
Director, Administrative Law Division

³ *Id.* at 3.