

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND  
TRANSPORTATION COMMISSION,

Complainant,

v.

PUGET SOUND ENERGY,

Respondent.

DOCKET UG-200112

PREHEARING CONFERENCE  
ORDER; NOTICE OF HEARING  
**(Evidentiary Hearing set for July 15,  
2020, at 9 a.m.)**

- 1 **NATURE OF PROCEEDING.** On February 19, 2020, Puget Sound Energy (PSE) filed with the Washington Utilities and Transportation Commission (Commission) revisions to its currently effective Tariff WN U-2 for natural gas service. The revised tariff would discontinue PSE's Water Heater Rental Service. Also on February 19, 2020, PSE filed an application (Application) seeking Commission determination that its Water Heater Rental Service and associated assets are no longer necessary or useful, per Washington Administrative Code (WAC) 480-143-180(2), or, in the alternative, Commission authorization for the sale of the Water Heater Rental Service to Grand HVAC Leasing USA LLC (GHL).
- 2 **CONFERENCE.** The Commission convened a prehearing conference in Lacey, Washington on March 13, 2020, before Administrative Law Judges Rayne Pearson and Michael Howard.
- 3 **APPEARANCES.** David S. Steele, Perkins Coie, LLP, represents PSE. Jeff Roberson, Assistant Attorney General, Olympia, Washington, represent Commission staff (Staff).<sup>1</sup> Lisa W. Gafken, Nina Suetake, and Ann Paisner, Assistant Attorneys General, Seattle, Washington, represent the Public Counsel Unit of the Attorney General's Office (Public Counsel). Contact information for the parties' representatives is attached as Appendix A to this Order.

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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.

4 **PETITIONS FOR INTERVENTION.** The Commission did not receive any petitions  
for intervention in this docket.

5 **PROTECTIVE ORDER.** The Commission entered Order 02, Protective Order with  
Highly Confidential Provisions in this docket on March 4, 2020.

6 **DISCOVERY.** Discovery will be conducted under the Commission's discovery rules,  
WAC 480-07-400 – 425. The Commission urges the parties to work cooperatively  
together to avoid having to bring discovery matters forward for formal resolution.  
Response times to data requests will be adjusted as set forth in Appendix B.

7 The Commission believes it will aid discovery in this case if all responses to data  
requests are shared with all parties. No party objects to the Commission making the  
exchange of data requests and responses with all parties a requirement for discovery in  
this case. Accordingly, the Commission requires the parties to share every data request  
and data request response with all parties, subject to any confidentiality limitations  
contained in Commission rule or the protective order issued in this docket.

8 **PROCEDURAL SCHEDULE.** The parties presented an agreed procedural schedule at  
the prehearing conference. The Commission modifies the parties' proposed procedural  
schedule to reflect Commissioner, policy staff, and the presiding officers' availability.  
The procedural schedule is attached to this Order as Appendix B. The parties may modify  
the date of the settlement conferences by providing written notice to the Commission.

9 **DOCUMENT FILING AND SERVICE REQUIREMENTS.** Parties must file and  
serve all pleadings, motions, briefs, and other pre-filed materials in compliance with all  
of the following requirements:

- (a) Parties must submit electronic copies of all documents by 5 p.m. on the filing  
deadline established in the procedural schedule (or other deadline as  
applicable) unless the Commission orders otherwise. Parties must comply  
with WAC 480-07-140(6) in formatting, organizing, and identifying electronic  
files.
- (b) The Commission accepts only electronic versions of documents for formal  
filing. Parties must submit documents electronically through the  
Commission's web portal ([www.utc.wa.gov/e-filing](http://www.utc.wa.gov/e-filing)). If a party is unable to  
use the web portal to submit documents for filing, the Commission will accept  
a submission via email to [records@utc.wa.gov](mailto:records@utc.wa.gov), provided that the email:  
(1) explains the reason the documents are not being submitted via the web  
portal, and (2) complies with the requirements in WAC 480-07-140(5)(b).

- (c) Parties must also file **an original and five (5) paper copies**<sup>2</sup> (with original signatures, if applicable) of the documents with the Commission by 5 p.m. on the next business day following the filing deadline established in the procedural schedule (or other deadline as applicable), unless the Commission orders otherwise. If any of the exhibits contain information designated as confidential, parties must file an electronic copy of the redacted version in searchable PDF (Adobe Acrobat or comparable software) of each such exhibit. All hard copy filings must be mailed or otherwise delivered to the Executive Director and Secretary, Washington Utilities and Transportation Commission, P.O. Box 47250, Olympia, Washington 98504-7250; 621 Woodland Square Loop S.E., Lacey, Washington 98503. Documents filed with the Commission must conform to the formatting and other requirements in WAC 480-07-395 and WAC 480-07-460, and must comply with the requirements in WAC 480-07-160 and the Protective Order in this docket for documents that include information designated as confidential.
- (d) Parties must electronically serve the other parties and provide courtesy electronic copies of filings to the presiding administrative law judges ([rayne.pearson@utc.wa.gov](mailto:rayne.pearson@utc.wa.gov) and [michael.howard@utc.wa.gov](mailto:michael.howard@utc.wa.gov)) by 5 p.m. on the filing deadline unless the Commission orders otherwise. If parties are unable to email copies, they may furnish electronic copies by delivering them on a flash drive only.

10 **EXHIBITS FOR CROSS-EXAMINATION.** Parties are required to file with the Commission and serve all proposed cross-examination exhibits by **5 p.m. on Monday, July 8, 2020**. The Commission requires electronic copies in searchable PDF (Adobe Acrobat or comparable software), the original paper copy, and five (5) paper copies of the exhibits. If any of the exhibits contain information designated as confidential, parties must file an electronic copy of the redacted version in searchable PDF (Adobe Acrobat or comparable software) of each such exhibit. The exhibits must be grouped according to the witness the party intends to cross examine with the exhibits. The paper copies of the exhibits also must be organized into sets that are tabbed and labeled.

11 **EXHIBIT LISTS.** With each submission of pre-filed testimony and exhibits, the party making the submission must include a preliminary exhibit list that identifies each submitted exhibit in the format the Commission uses for exhibit lists it prepares for evidentiary hearings. The Company will prepare its preliminary exhibit list and circulate it to the parties. Each party must file and serve a final list of all exhibits the party intends

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<sup>2</sup> At the parties' request, we waive the requirement to file paper copies for 60 days following the entry of this order due to resource constraints caused by the COVID-19 outbreak.

to introduce into the evidentiary record, including all pre-filed testimony and exhibits, as well as cross-examination exhibits by **5 p.m., Wednesday, July 8, 2020.**

- 12 **CROSS-EXAMINATION TIME ESTIMATES.** Each party must provide a list of witnesses the party intends to cross-examine at the evidentiary hearing and an estimate of the time that party anticipates the cross-examination of that witness will take. Parties should not file witness lists or cross-examination time estimates but must provide them to the administrative law judges ([rayne.pearson@utc.wa.gov](mailto:rayne.pearson@utc.wa.gov) and [michael.howard@utc.wa.gov](mailto:michael.howard@utc.wa.gov)) and the other parties by **5 p.m., Wednesday, July 8, 2020.**
- 13 **PUBLIC COMMENT HEARING.** The Commission will hold a public comment hearing in this docket at Commission Headquarters, 621 Woodland Square Loop S.E., Lacey, Washington, prior to the hearing on the final disposition of this case. PSE's customers will receive notice of the date, time, and address of the public comment hearing, as well as other information required under WAC 480-90-197, at least 30 days prior to the date of the public comment hearing. Due to concerns regarding COVID-19, interested persons may participate in the public comment hearing via telephone or personal computer.
- 14 **NOTICE OF EVIDENTIARY HEARING.** The Commission will hold an evidentiary hearing in this docket on **July 15, 2020, at 9 a.m.**, in the Commission's Richard Hemstad Hearing Room, located at 621 Woodland Square Loop S.E., Lacey, Washington.
- 15 **ALTERNATE DISPUTE RESOLUTION.** The Commission supports the informal settlement of matters before it. Parties are encouraged to consider means of resolving disputes informally. The Commission has limited ability to provide dispute resolution services. If you wish to explore those services, please contact Rayne Pearson, Director, Administrative Law Division (360-664-1136).
- 16 **NOTICE TO PARTIES: A party who objects to any portion of this Order must file a written objection within ten (10) 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 this Order, in the upper right-hand corner. Absent such objection,**

**this Order will control further proceedings in this docket, subject to Commission review.**

DATED at Lacey, Washington, and effective March 16, 2020.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

*/s/ Michael S. Howard*

MICHAEL HOWARD

Administrative Law Judge

**APPENDIX A  
PARTIES' REPRESENTATIVES  
DOCKET UG-200112**

<b>PARTY</b>	<b>REPRESENTATIVE</b>	<b>PHONE</b>	<b>E-MAIL</b>
Puget Sound Energy	Sheree Strom Carson Perkins Coie, LLP 10885 N.E. Fourth Street Ste. 700 Bellevue, WA 98004-5579	(425) 635-1422	<a href="mailto:scarson@perkinscoie.com">scarson@perkinscoie.com</a>
	Jon Piliaris Puget Sound Energy PO BOX 97034 PSE-08N Bellevue, WA 98009-9734		<a href="mailto:jon.piliaris@pse.com">jon.piliaris@pse.com</a>
	David Steele Perkins Coie, LLP 10885 NE Fourth Street Ste. 4900 Bellevue, WA 98004		<a href="mailto:dsteale@perkinscoie.com">dsteale@perkinscoie.com</a>
	PSE Data Requests		<a href="mailto:psedrs@perkinscoie.com">psedrs@perkinscoie.com</a>
Commission Staff	Jeff Roberson Assistant Attorney General Office of the Attorney General Utilities and Transportation Division P.O. Box 40128 Olympia, WA 98504	(360) 664-1188	<a href="mailto:jeff.roberson@utc.wa.gov">jeff.roberson@utc.wa.gov</a>
	Chris McGuire		<a href="mailto:chris.mcguire@utc.wa.gov">chris.mcguire@utc.wa.gov</a>
	Elizabeth O'Connell		<a href="mailto:elizabeth.oconnell@utc.wa.gov">elizabeth.oconnell@utc.wa.gov</a>
	Betsy DeMarco		<a href="mailto:betsy.demarco@utc.wa.gov">betsy.demarco@utc.wa.gov</a>
	Krista Gross		<a href="mailto:krista.gross@utc.wa.gov">krista.gross@utc.wa.gov</a>
Public Counsel	Ann N.H. Paisner Assistant Attorney General Washington Attorney General's Office Public Counsel Unit 800 Fifth Avenue, Suite 2000 Seattle, WA 98104-3188	(206) 464-6595	<a href="mailto:Ann.Paisner@atg.wa.gov">Ann.Paisner@atg.wa.gov</a>
	Nina Suetake Assistant Attorney General		<a href="mailto:NinaS@atg.wa.gov">NinaS@atg.wa.gov</a>
	Lisa Gafken Assistant Attorney General		<a href="mailto:Lisa.Gafken@atg.wa.gov">Lisa.Gafken@atg.wa.gov</a>
	Stephanie Chase		<a href="mailto:Stephanie.chase@atg.wa.gov">Stephanie.chase@atg.wa.gov</a>
	Thomas Johnson		<a href="mailto:Thomas.Johnson@atg.wa.gov">Thomas.Johnson@atg.wa.gov</a>
	Chanda Mak		<a href="mailto:Chanda.Mak@atg.wa.gov">Chanda.Mak@atg.wa.gov</a>
	Kevin Burdet		<a href="mailto:Kevin.Burdet@atg.wa.gov">Kevin.Burdet@atg.wa.gov</a>

**APPENDIX B  
PROCEDURAL SCHEDULE  
DOCKET UG-200112**

EVENT	DATE
Tariff/Application Filing	<b>February 19, 2020</b>
Prehearing Conference <sup>3</sup>	<b>March 13, 2020</b>
Initial Settlement Conference	<b>April 3, 2020<sup>4</sup></b>
Staff, Public Counsel and Intervenor Response Testimony and Exhibits <sup>5</sup>	<b>May 8, 2020</b>
Second Settlement Conference	<b>TBD</b>
PSE Rebuttal Testimony and Exhibits; Staff, Public Counsel and Intervenor Cross-Answering Testimony and Exhibits	<b>May 26, 2020</b>
Notice Issued for Public Comment Hearings	<b>30 days prior to Public Comment Hearing</b>
Public Comment Hearing	<b>TBD (Exact date to be determined by separate notice)</b>
Discovery Deadline	<b>June 26, 2020</b>
Exhibit List, Cross-Examination Exhibits, Witness Lists, Time Estimates, and Exhibit Errata	<b>July 8, 2020</b>
Evidentiary Hearing	<b>July 15, 2020, at 9 a.m.</b>
Suspension Date	<b>May 22, 2021</b>

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<sup>3</sup> Response times to data requests will be 7 business days.

<sup>4</sup> The parties may adjust the settlement conference dates by mutual agreement amongst themselves followed by notice to the Commission via letter. Such changes to the settlement conference dates will not require approval from the Commission in this proceeding.

<sup>5</sup> Response time to data requests from this date forward will be 5 business days.