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BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CITY OF KENT,  
  
Petitioner,

DOCKET NO. UE-010778  
(Consolidated)

v.

PUGET SOUND ENERGY, INC.,  
  
Respondent.  
.....

CITY OF AUBURN, CITY OF  
BREMERTON, CITY OF DES MOINES,  
CITY OF FEDERAL WAY, CITY OF  
LAKEWOOD, CITY OF REDMOND, CITY  
OF RENTON, CITY OF SEATAC, AND  
CITY OF TUKWILA,  
  
Petitioners,

DOCKET NO. UE-010911  
(Consolidated)

v.

PUGET SOUND ENERGY, INC.,  
  
Respondent.

DECLARATION OF THOMAS W.  
GUT IN SUPPORT OF CITIES' REPLY

Thomas W. Gut, declares as follows:

1. I am the same Tom Gut that previously submitted the Declaration In Support Of The Cities' Motion For Summary Determination dated August 14, 2001. I am submitting this

1 Declaration in reply to the Response of Puget Sound Energy (“PSE”) regarding the cost of  
2 relocation of new underground facilities.

3           2.       The City of SeaTac has agreed in some cases to be responsible for relocation of new  
4 underground PSE facilities for a period up to 20 years where the City's roadway improvement  
5 projects were designed for a design life of 20 years. Typically, traffic volume projections are made  
6 to 20 years out to determine the number of lanes needed and the pavement section (thickness) is  
7 designed based on 20 years worth of traffic loads. Therefore, the time frame in the PSE agreements  
8 was consistent with the City's 20 year design parameters in this case.

9  
10           3.       PSE's attempt to make the City responsible in perpetuity would not be consistent with  
11 the road improvement projects' design parameters.

12           4.       On or about December 19, 2000, the City of SeaTac and PSE executed an  
13 Underground Conversion Agreement with respect to a road improvement project located at Des  
14 Moines Memorial Drive So. from So. 188<sup>th</sup> Street to So. 194<sup>th</sup> Street, in the City of SeaTac.  
15 Between So. 188<sup>th</sup> Street and So. 192<sup>nd</sup> Street, the City added an additional lane. In this portion the  
16 City’s cost responsibility was 30% even though the utility poles would have remained in the  
17 sidewalk and more than 6 inches from the curb. Between So. 192<sup>nd</sup> Street and So. 194<sup>th</sup> Street no  
18 additional lane was added. In the portion between So. 192<sup>nd</sup> and So. 194<sup>th</sup>, it was agreed that the  
19 City’s cost responsibility would be 70%. (See copy of the December 19, 2000 Underground  
20 Conversion Agreement attached hereto as Exhibit “A”). Apparently, PSE did not consider their July  
21 2000 “Rate Schedule Interpretation” of Schedule 71 for this agreement.

22  
23  
24           I declare under penalty of perjury under the laws of the State of Washington that the  
25 foregoing is true and correct.

1 I declare under penalty of perjury under the laws of the State of Washington that the  
2 foregoing is true and correct.

3 Executed on September \_\_\_\_, 2001.  
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6 \_\_\_\_\_  
7 THOMAS W. GUT  
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the DECLARATION OF THOMAS W. GUT IN SUPPORT OF CITIES' REPLY filed by the Cities of Auburn, Bremerton, Des Moines, Federal Way, Lakewood, Redmond, Renton, SeaTac, and Tukwila, upon all parties of record in this proceeding, via facsimile, followed by U.S. mail, as follows:

Kirstin S. Dodge  
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Michael L. Charneski  
19812-194th Avenue N.E.  
Woodinville, WA 98072-8876

Dennis J. Moss, Administrative Law Judge  
Washington Utilities and Transportation Commission  
1300 S. Evergreen Park Drive S.W.  
P. O. Box 47250  
Olympia, WA 98504-7250

DATED at Seattle, Washington, this \_\_\_\_ day of September, 2001.

\_\_\_\_\_  
Jo Ann Sunderlage  
Secretary to Carol S. Arnold

K:\44541\00001\CSA\CSA\_\$220C