

0018

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

BEFORE THE WASHINGTON STATE  
UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND )  
TRANSPORTATION COMMISSION, ) DOCKET NO. U-061239  
v. ) VOLUME 2  
PUGET SOUND ENERGY, INC., ) Pages 18 - 22

A hearing in the above matter was held on  
December 8, 2006 at 1:30 p.m. at 1300 South Evergreen Park  
Drive Southwest, Olympia, Washington, before Commissioner  
JENNIFER CAMERON-RULKOWSKI and Administrative Law Judge  
ROBERT WALLIS.

The parties were present as follows:

THE WASHINGTON UTILITIES AND TRANSPORTATION  
COMMISSION STAFF, by JENNIFER CAMERON-RULKOWSKI, Assistant  
Attorney General, 1400 South Evergreen Park Drive  
Southwest, Olympia, Washington 98504.

PUBLIC COUNSEL, by JUDITH KREBS, Attorney  
General, 800 Fifth Avenue, Suite 2000, TB-14, Seattle,  
Washington 98104.

PUGET SOUND ENERGY, INC., by SHEREE STROM CARSON,  
Attorney at Law, 10885 Northeast Fourth Street, Suite 700,  
Bellevue, Washington 98004.

Jennifer Cordner, CCR  
Court Reporter

0019

1 P R O C E E D I N G S

2 JUDGE WALLIS: Let's be on the record, please.

3 This is a prehearing conference in the matter of  
4 Commission Docket U-061239, which is a complaint by the  
5 Washington Utilities and Transportation Commission against  
6 Puget Sound Energy Inc., respondents.

7 The Commission convened a prehearing conference  
8 in this matter previously, and one of the scheduling items  
9 was a prehearing conference set for today for a check in  
10 on process, and for the opportunity to address any  
11 procedural issues that may arise, or questions the parties  
12 might have.

13 Prior to going on the record, we did consult with  
14 the parties about potential concerns, and will note for  
15 the record that the procedural schedule should be modified  
16 slightly to provide not for simultaneous opening briefs on  
17 January 11, but for briefs from Public Counsel on January  
18 11, and answering briefs from the Company, and Commission  
19 Staff on January 26.

20 And in other regards the schedule, at this point  
21 at any rate, remains unchanged. The parties did offer a  
22 brief summary of the status of negotiations that did  
23 provide that negotiations are continuing and that at this  
24 point there is insufficient progress, or lack of progress,  
25 to pronounce them successful in terms of producing a

0020

1 settlement, or not.

2 With that we will certainly encourage the parties  
3 to continue those discussions and to pursue a settlement.

4 I would like to take appearances of the parties  
5 who are here beginning with the complainant.

6 MS. CAMERON-RULKOWSKI: On behalf of Commission  
7 Staff, Jennifer Cameron-Rulkowski.

8 JUDGE WALLIS: For the respondent?

9 MS. CARSON: On behalf of Puget Sound Energy,  
10 Sheree Strom Carson.

11 JUDGE WALLIS: And for public counsel?

12 MS. KREBS: On behalf of the public counsel  
13 section of the Attorney General's office, Judith Krebs.

14 JUDGE WALLIS: Thank you very much. Now, you've  
15 heard my monolog. Are there any corrections or additions  
16 that any of the parties would like to make?

17 MS. KREBS: The only issue I raise, Your honor,  
18 is due to some of the weather problems, my discovery went  
19 out quite late. And I did get responses from the Company  
20 early, which I received last night personally, I don't  
21 know if they came sooner. And some of the responses raise  
22 a question about whether or not I should be seeking a  
23 third party subpoena.

24 And I've yet to have time to check the record, I  
25 know there's very often a time period associated with

0021

1 that, and a process for seeking it from the Commission.  
2 And so I know we're on a short time frame, but I just  
3 raise that.

4 I fully intend to, to the best of my ability,  
5 stick with the deadline of Tuesday for evidence, and I  
6 believe it's -- so that's the 15th I believe, and then the  
7 20th for hearing, evidentiary hearing. But I just raise  
8 that as something that I think is possible. I need to go  
9 back and look at the discovery responses again and just to  
10 determine whether or not that would be necessary.

11 MS. CARSON: Your honor?

12 JUDGE WALLIS: Ms. Carson?

13 MS. CARSON: Just for the record, there was over  
14 a month that was provided for a period of discovery, I  
15 think our original prehearing conference was in November,  
16 November 6th, and discovery cutoff was set for yesterday,  
17 December 7th. It was over a month.

18 Public Counsel had plenty of time to get the data  
19 requests out to the Company and to get the responses, in  
20 fact there was supposed to be time built in for two series  
21 of them, and I only received one series just about a week  
22 ago.

23 So there was plenty of time for Public Counsel to  
24 get out its data requests, get the responses back, and  
25 issue third party subpoenas, if necessary.

0022

1           And we would object to this, I think it will  
2     prolong our hearing schedule, if in fact -- that's all I  
3     have.

4           JUDGE WALLIS: Very well, so noted. I will point  
5     out to Ms. Krebs that our statute does permit counsel to  
6     issue subpoenas, rather than have the Commissioners  
7     administer them, if they choose to do so.

8           MS. CAMERON-RULKOWSKI: Thank you.

9           JUDGE WALLIS: All right. With that, if there's  
10    nothing further, we will conclude this prehearing  
11    conference and repeat our encouragement to the parties to  
12    continue those negotiations, and to the extent possible  
13    hold to the schedule that we now have. If there is a  
14    question about further discovery, please contact  
15    Ms. Walker or me, and we will on short notice be able to  
16    schedule a telephonic discussion of any issues that might  
17    arise.

18          MS. CAMERON-RULKOWSKI: Thank you, Your honor.

19          MS. CARSON: Thank you, Your Honor.

20          JUDGE WALLIS: Thank you very much, this  
21    conference is concluded.

22           (Hearing concluded at 1:43 p.m.)

23

24

25