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1 BEFORE THE WASHINGTON UTILITIES AND
2 TRANSPORTATION COMMISSION
3 WASHINGTON UTILITIES AND)
 TRANSPORTATION COMMISSION,) DOCKET NO. UG-040640
4) DOCKET NO. UE-040641
 Complainant,)
5)
 vs.) Volume VII
6) Pages 1015 to 1039
 PUGET SOUND ENERGY, INC.,)
7)
 Respondent.)
8)
 In the Matter of the Petition)
9 of PUGET SOUND ENERGY, INC.,)
 For an Order Regarding the) DOCKET NO. UE-031471
10 Accounting Treatment For)
 Certain Costs of the)
11 Company's Power Cost Only)
 Rate Filing,)
12)
 In the Matter of the Petition)
13 of PUGET SOUND ENERGY, INC.,)
 For an Accounting Order) DOCKET NO. UE-032043
14 Authorizing Deferral and)
 Recovery of Investment and)
15 Costs Related to the White)
 River Hydroelectric Project)
16)
17

18 A public hearing in the above matter was held
19 on December 16, 2004, from 6:00 p.m to 6:30 p.m., at
20 1300 South Evergreen Park Drive Southwest, Room 206,
21 Olympia, Washington, before Chairwoman MARILYN SHOWALTER
22 and Commissioner PATRICK J. OSHIE.

23
24 Joan E. Kinn, CCR, RPR
25 Court Reporter

1 The parties were present as follows:

2 THE COMMISSION, by ROBERT D. CEDARBAUM,
3 Assistant Attorney General, 1400 South Evergreen Park
4 Drive Southwest, Post Office Box 40128, Olympia,
Washington, 98504, Telephone (360) 664-1188, Fax (360)
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5 THE PUBLIC, by SIMON J. FFITCH, Assistant
6 Attorney General, 900 Fourth Avenue, Suite 2000,
7 Seattle, Washington, 98164-1012, Telephone (206)
389-2055, Fax (206) 389-2058, E-Mail simonf@atg.wa.gov.

8 PUGET SOUND ENERGY, by KIRSTIN S. DODGE,
9 Attorney at Law, Perkins Coie, LLP, 10885 Northeast
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2 INDEX OF EXAMINATION

3 -----

4 WITNESS: PAGE:

5 ANN MARIE WILLSON 1023

6 JOHN M. DOYLE 1027

7 CHARLES JONES 1030

8 GENE FORRESTER 1032

9 ROGER ROBINSON 1036

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

2 CHAIRWOMAN SHOWALTER: Good evening this is a
3 public hearing of the Washington Utilities and
4 Transportation Commission. My name is Marilyn
5 Showalter, I'm the Chair of the Commission, and with me
6 up here is Commissioner Pat Oshie. There are three
7 commissioners that make up the Commission, and our third
8 colleague, Commissioner Dick Hemstad, can't be with us
9 tonight.

10 We're here for a public hearing on a case
11 whose title is WUTC versus Puget Sound Energy, Docket
12 Number UG-040640, et al. Its common name is the Puget
13 Sound rate case, and the company has asked for rate
14 increases on both its electric service and its gas
15 service. The purpose of this hearing is to hear from
16 members of the public, and we're very glad that you
17 came. We have had four days of hearings of witnesses
18 from the company and other parties, and we have a great
19 deal of evidence, both written and oral on the stand, to
20 consider, and your comments here tonight are part of
21 that process.

22 I want to say that we're here tonight, we are
23 here to hear from you. It is not a time when the
24 Commissioners can answer questions. And the reason is
25 we sit as judges in this kind of proceeding. You might

1019

1 see a court reporter up here, and that's because like a
2 court all of this is taken down and reported. But I do
3 want to say there are people who can answer questions
4 you may have at the conclusion of the hearing. There
5 are representatives from the company here, and I see
6 them in the back of the room, they might raise their
7 hands. As well at the counsel table here is Bob
8 Cedarbaum who represents the Staff of our Commission,
9 and the Staff in this case is an independent party from
10 us. And Simon ffitch is here, and he is from the Office
11 of Public Counsel which is a part of the Attorney
12 General's Office. So if you have questions that you
13 want answered, they are probably people who might be
14 able to answer them, but for now we would like to hear
15 from you.

16 When you come up, please state your name and
17 spell your last name for the court reporter, and then I
18 will ask you or you can volunteer this information
19 whether you are speaking on behalf of yourself as an
20 individual, including your family, or representing some
21 kind of group. But before you come up and testify, I
22 will ask anyone who plans to testify to stand and be
23 sworn in just a minute.

24 The other thing I want to say is that it is
25 courteous in any event to be silent while someone

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1 comments, and that means no laughter or boos or hisses
2 or clapping, but it's especially important in a
3 proceeding like this because everything is taken down by
4 the court reporter, and she needs to have only one
5 person speaking at a time.

6 And the final thing I will say in that regard
7 is try if possible to speak relatively slowly and
8 clearly. In particular if you are reading something
9 there's a tendency to read very fast, and that's very
10 hard on the court reporter. So if you get going too
11 fast either she or I will probably slow you down.

12 With that, Mr. Cedarbaum or Mr. ffitch, is
13 there anything you need to add at this time?

14 MR. FFITCH: Well, if I might just make a
15 brief statement with your permission, Madam Chairwoman.

16 CHAIRWOMAN SHOWALTER: That would be fine.

17 MR. FFITCH: Thank you.

18 Good evening, my name is Simon ffitch, and
19 I'm an Assistant Attorney General with the Public
20 Counsel Office. If you're not familiar with us, we are
21 a separate unit of the Attorney General's Office which
22 represents customers of Puget Sound Energy, Qwest, and
23 other big utilities in the state before the Utilities
24 and Transportation Commission, and we present technical
25 evidence and witnesses and file legal briefs in these

1021

1 cases and then ultimately make a recommendation about
2 the rate increase along with other parties who do the
3 same thing to the Commission.

4 In this case our office focused on the issue
5 of return on investment. The company has asked for an
6 11.75% return, and our expert witness did an analysis
7 and filed testimony and actually testified earlier this
8 week here that the amount allowed should be 9.75%. This
9 would reduce the electric, the size of the electric
10 increase by about 60% we have calculated and the gas
11 amount by about 40%.

12 We were also very concerned about what's
13 called rate design, things like what's your monthly
14 charge that you pay every month regardless of how much
15 gas or electricity you use, how much do you pay for the
16 first block of power versus the second block of power.
17 Some things like that in the initial proposal were a
18 very serious concern to us. However, I'm happy to
19 report that all the parties in the case, including the
20 company and all of the customer groups that are
21 participating, have reached a settlement on those issues
22 and basically resolved those serious concerns that we
23 had. And a lot of the original proposals are -- well,
24 the original proposals that troubled our office are not
25 on the table any more.

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1 So if you have come tonight to specifically
2 address a concern about a high customer charge or
3 something of that nature, a full settlement is in front
4 of the Commission right now for approval, and those
5 things are pretty much off the table. We're just
6 focusing on the size of the revenue increase, if any,
7 that the company is entitled to.

8 The last thing I want to say is the
9 Commission has received we understand over 180 letters
10 and E-mails from customers, and part of our job as
11 Public Counsel is that we will put those together into
12 an exhibit, and that will be filed as part of the record
13 in the case so that the Commissioners can take a look at
14 that and see all of the public comment that has come in.

15 I will be here afterwards, as Chairwoman
16 Showalter indicated, if anybody would like to talk or
17 ask questions.

18 Thank you, Your Honor.

19 CHAIRWOMAN SHOWALTER: All right, with that,
20 I would like everyone who plans to testify to please
21 stand and raise your right hand.

22 (Witnesses Ann Marie Willson, John M. Doyle,
23 Charles Jones, Gene Forrester, and Roger
24 Robinson were sworn.)

25 CHAIRWOMAN SHOWALTER: I will call first on

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1 Ann Marie Willson.

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3 Whereupon,

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ANN MARIE WILLSON,

5 having been first duly sworn, was called as a witness

6 herein and was examined and testified as follows:

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8 CHAIRWOMAN SHOWALTER: Come forward to the
9 microphone, and I will ask you just please state your
10 name and spell your last.

11 MS. WILLSON: Okay, it's Ann Marie Willson,
12 W-I-L-L-S-O-N.

13 CHAIRWOMAN SHOWALTER: And are you here
14 speaking on your own, on behalf of yourself or some
15 organization?

16 MS. WILLSON: Yes, ma'am, myself.

17 CHAIRWOMAN SHOWALTER: Are you a customer of
18 Puget?

19 MS. WILLSON: I am, and an ex-employee.

20 CHAIRWOMAN SHOWALTER: And that is also any
21 other information you have that might be relevant,
22 that's helpful for us to know.

23 MS. WILLSON: Thank you.

24 CHAIRWOMAN SHOWALTER: Go ahead with your
25 statement.

1024

1 MS. WILLSON: I'm one of the 1,500 people
2 that they displaced, laid off, in 2002, and some of the
3 things that I saw when I was with the company for 22 1/2
4 years were really shocking. I know I was forced to take
5 an early out because I was being forced on a \$33,000
6 inventory that the company was going to write off even
7 though I suggested to go in and I wanted to repair it,
8 make it good, they said no, we're going to write it off.
9 A lot of the write-offs that the company has been doing
10 is really alarming, and because that I was an employee
11 with the company, I could not say or do very much
12 because I was given a book of ethics, so I had to follow
13 it.

14 Like I said, the concerns I have had, I even
15 went up to see the president on August the 10th of 2003,
16 Steve Reynolds. I have the documentation here from my
17 -- tried to get an appointment with him. I went up to
18 see him to tell him not only about the write-offs that I
19 have seen throughout the company through the years, and
20 another thing that the company does is whenever there is
21 a storm, they -- that's an excuse to do maintenance on
22 the line and charge it to storm expense, which a lot of
23 us people thought was wrong, it's not storm expense.
24 And a lot of the thievery, lot of theft, and I know I
25 even took my days off to go up to Bellevue to risk and

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1 claims to mention about some kind of handle on security,
2 which went in one ear and out the other.

3 Anyways, I have a list here too of the wages
4 that the PSE officers make in the years. I have from
5 1998 to 2002 is when I took my money out because the
6 company was going to take away my retirement, so I was
7 advised by the union, IBEW Local 77, to get my money
8 out, I was 55 and they said get out of there, so beings
9 that I'm -- did you want to see this?

10 CHAIRWOMAN SHOWALTER: You can give that to
11 Mr. ffitch.

12 MS. WILLSON: Oh, okay.

13 CHAIRWOMAN SHOWALTER: I was actually trying
14 to silently point you to the microphone.

15 MS. WILLSON: Oh, I'm sorry.

16 Anyways, I had -- I was a stockholder until
17 like I said I took my money out, so I have no ties with
18 Puget Sound Energy. But a lot of my concern is with the
19 wages that they're making and some of the write-offs
20 that I have seen in the company, and now they're
21 contracting it out to Patelco, and I understand that
22 from different people that I know Puget was so assertive
23 about changing over the work force to tackle their -- I
24 heard from some of my friends that they're renting the
25 facilities for \$1 a year rent. Plus a lot of the trucks

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1 that Puget had, they sold them for almost nothing to
2 Patelco to take over the utility part of it because they
3 were really -- what I heard is Puget was pretty upset
4 that or they wanted to make sure that it wasn't because
5 the Washington Utility boards was looking at them, make
6 sure that this was going to go out.

7 And I also have a letter here from
8 Mr. Weaver, this is dated 2001, that he was going to
9 save -- when they displaced us in 2002 they were going
10 to save \$66 Million, this is by Mr. Swafford, getting
11 rid of the work force. I would like to know what
12 happened to the \$66 Million that they were going to
13 save, now we're getting another rate increase. I think
14 this is the third rate increase, I think they increased
15 gas prices twice and now this is the electrical. And I
16 feel with the wages that some of the CEO's are making
17 and some of the corporate, well, some of the write-offs
18 that they have been doing, they need to be responsible
19 for some of this money. Because it's like they have
20 quite a bit of money now, and so they're just going to
21 kind of, you know, let's just spend the money and not
22 have accountability.

23 And that's what my point is, I know the
24 amount of money that I have seen written off in all
25 these years is pretty astounding, and I know you don't

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1 want me to be quoting my documentation from '79, but
2 anyways I do wish the Commission would look into it.
3 You know, we have very tight times right now, and like I
4 said, the wages of the CEO's are pretty shocking plus
5 their perks, their incentive bonuses, so please look
6 into it.

7 Thank you.

8 CHAIRWOMAN SHOWALTER: Thank you, and thank
9 you for the materials.

10 MS. WILLSON: Thank you, I have more I will
11 give to him. Thank you, thank you very much.

12 CHAIRWOMAN SHOWALTER: Thank you.

13

14 Whereupon,

15 JOHN M. DOYLE,
16 having been first duly sworn, was called as a witness
17 herein and was examined and testified as follows:

18

19 CHAIRWOMAN SHOWALTER: John Doyle, is it
20 Boyle or Doyle?

21 MR. DOYLE: Doyle, D-O-Y-L-E.

22 CHAIRWOMAN SHOWALTER: Okay.

23 MR. DOYLE: Madam Chairman, Commissioner, my
24 name is Jack Doyle. I live in Olympia, I have been here
25 for the last 42 years. I spent many hours before this

1028

1 Commission up until 1990, at which time I retired as the
2 Executive Vice President of the Independent Telephone
3 Association, so we worked very hard with the Commission
4 to try to earn appropriate rates of return for our
5 companies. 6% in those days were pretty good rate of
6 return. When I hear this 11.7% and maybe adjust it down
7 to 9%, I hope that's not a cut and dry deal. When you
8 can only get about 1.6% on your money in the best market
9 today, that seems to me like an awfully high rate of
10 return.

11 So anyway, thank you for the opportunity to
12 speak on the issue. In September of this year I spoke
13 against a 50% increase in the city utility taxes because
14 of the spiraling costs of utilities and the effect on
15 low income and the elderly population. I'm terribly
16 disappointed that this room isn't filled with elderly
17 and low income people tonight. I don't know why, they
18 must not be getting the message, but I hope to be
19 representing them without portfolio tonight.

20 During the month of November we were away
21 from our home. We have a home in Palm Dessert,
22 California, and our thermostat was set at 62 degrees to
23 keep our heat from coming on for a period of 8 hours a
24 day, and we had a low setting of 52 degrees. Our hot
25 water was off, so the only use of our gas was for low

1029

1 heat. Now this is a gas issue I'm speaking to tonight.
2 Our usage was 86.6 therms of gas, and that's not very
3 much usage when you multiply it by 30 days, it's a
4 little over 2 1/2 therms a day, but our gas bill was
5 \$102.67. During the same period we were at our home in
6 California, and our gas bill for full heat, for water
7 which is heated by gas, for our dryer which is heated by
8 gas, and for our furnace which is heated by gas was less
9 than \$25.

10 During these times, and I reiterate during
11 these times, and we are in critical times today for
12 people just to make it to stay alive. Unless the rate
13 of return is in serious trouble for Puget Sound Energy,
14 I think the rate increase is out of line, and it will
15 create a severe hardship on those who can least afford
16 it. I guess probably I watch the stock market. When
17 you're retired and have not much else to do you watch
18 the stock market. And I see Puget Sound Energy stock
19 continuing to go up, so the investors aren't concerned
20 about their rate of return, and that seems to be what
21 kind of keeps the stock edging upwards.

22 So I just urge you to be terribly close on
23 this, because the people who are really affected are
24 those elderly and low income people who can not afford
25 today to pay their electric and light bills. I have a

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1 lady that comes in and cleans for us, she was there this
2 afternoon and I spoke to her about this problem. And
3 she told me, she says, Mr. Doyle, I have to turn my heat
4 down and sit around in cold because I can't pay the
5 bill. That's bad when we have that kind of thing
6 happening.

7 So I appreciate the opportunity to be here
8 and express my feelings on it, and I hope you will do
9 the same in making a decision, thank you.

10 CHAIRWOMAN SHOWALTER: Thank you.

11 I should mention that we also did have a
12 public hearing similar to this one in Bellevue a month
13 or two ago.

14

15 Whereupon,

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CHARLES JONES,

17 having been first duly sworn, was called as a witness
18 herein and was examined and testified as follows:

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20 CHAIRWOMAN SHOWALTER: Charles Jones.

21 MR. JONES: Hi, my name is Charles Jones,
22 J-O-N-E-S, last time I spelled it anyway. I would just
23 like to point out what the gentleman said I agree with
24 every word he said and the first lady, and I'm here
25 about this horrendous increase. It just seems like that

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1 every increase they want it's a rubber stamp, they get
2 it. And oh, lo and behold, we lower it a little bit,
3 but that has already been prearranged by them in my
4 opinion. They wanted the 9%, or is that what you said,
5 sir?

6 MR. FFITCH: 9.75%.

7 MR. JONES: Yeah, so they wanted that
8 increase to begin with. It's just that they ask for the
9 moon knowing that you guys will lower it a little bit.
10 So my daughter, for example, is out of work. Now we
11 called and asked for this low income for her, and they
12 said there's no money for that. I would like to know
13 where that money's at and how they use it, because they
14 seem to be always out of it. I have some questions that
15 I will go over with him.

16 I thank you very much.

17 CHAIRWOMAN SHOWALTER: Thank you.

18 MR. FFITCH: And, Your Honor, Mr. Jones has
19 provided a written document which we will add to the
20 record.

21 MR. JONES: Yeah, I gave one to them, but I
22 wanted to talk to you about these, because these are
23 questions.

24 CHAIRWOMAN SHOWALTER: Thank you.

25 And just as this gentleman just did, if you

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1 agree with another speaker and want to refer to that
2 speaker's comments and agree with them, it will be as if
3 you said that yourself, and we will give the earlier
4 comments the additional weight that you agree with them.

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6 Whereupon,

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GENE FORRESTER,

8 having been first duly sworn, was called as a witness
9 herein and was examined and testified as follows:

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11 CHAIRWOMAN SHOWALTER: Gene Forrester.

12 MR. FORRESTER: Good evening, my name is Gene
13 Forrester, F-O-R-R-E-S-T-E-R, and I am a member of the
14 AARP National Legislative Council, but I reside in
15 Olympia and am a customer of Puget Power both for gas
16 and electricity, and I will give comments for the
17 organization, and I want to add some for myself.

18 I want to thank you and commend you today for
19 giving the public this opportunity to comment on Puget
20 Sound Energy's application to increase its revenues by
21 an additional \$81.6 Million from electric customers and
22 \$47.2 Million from natural gas customers.

23 AARP is a non-profit, non-partisan membership
24 organization dedicated to making life better for people
25 50 and older. We have over 815,000 members in the state

1033

1 of Washington representing all segments of the
2 socioeconomic scale. These members represent a
3 meaningful cross section of the consumers to which Puget
4 Sound Energy and other utilities provide services.
5 Moreover, AARP Washington's membership includes many
6 consumers living on fixed and low incomes. For these
7 reasons, AARP membership has a vested interest in
8 ensuring that energy services are readily available at
9 prices that are just, reasonable, and affordable.

10 As you well know, older Americans are
11 particularly susceptible to extremes in temperature. We
12 rely on the ability to heat and cool our homes for both
13 our comfort and well being. Any degradation in utility
14 services can pose serious health concerns. Likewise,
15 energy affordability is a constant concern for
16 consumers, especially those living on fixed and low
17 incomes. The constant monthly increases and the total
18 cost of energy due to power cost adjustment mechanisms,
19 rate cases, and other means can especially be
20 devastating for those older consumers living on fixed
21 and low incomes. Too often low income families are
22 forced to choose between risking their health and
23 comfort by cutting back on energy expenditures and
24 reducing expenditure for other basic necessities such as
25 food or health care.

1 For these reasons, AARP applauds the efforts
2 of the parties to reach a partial settlement in the
3 case. It is our understanding that the partial
4 settlement agreement pertains to the rate design and
5 rate spread issue in the case and result in a much
6 smaller increase to residential electric and natural gas
7 fixed charges than proposed by PSE. Accordingly, AARP
8 urges the Commission to approve the partial settlement
9 as proposed by the parties. It addresses some of the
10 many concerns AARP has with PSE's filings.

11 Nonetheless, we also understand the revenue
12 requirement issues in this case are still unresolved,
13 namely the company's proposal to earn a rate of return
14 on investment of 11.75%. Several experts in the case
15 have argued that this return on investment is too high.
16 Thus we urge the Commission to thoroughly review the
17 positions of all the parties on this important issue and
18 render a decision in the best interest of residential
19 consumers.

20 Finally, AARP asks the Commission to ensure
21 that adequate funding is available for bill payment
22 assistance programs for low income customers in
23 Washington. The Commission must also ensure that
24 consumers are aware of the availability of assistance
25 programs in order to maximize public participation.

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1 Without adequate funding and awareness, many residents
2 who qualify for assistance will not receive the help
3 they desperately need. To increase program
4 participation levels, AARP supports the concept of
5 automatic enrollment. Electric and natural gas
6 customers should be automatically enrolled in any and
7 all state low income energy assistant programs when they
8 apply for other income based financial assistance
9 programs such as food stamps, TANF, medical aid.

10 I am a member of the Olympia Kwanis Club and
11 we operate a wood bank to low income citizens that are
12 referred to us from other organizations. As an example
13 this morning I delivered a load of wood to an elderly
14 retired widow whose sole income is Social Security. She
15 can not afford to turn her electric heat on, therefore
16 she only heats with the wood that we can supply her, and
17 that is a limited amount. We have already delivered to
18 47 customers, we will deliver, they're families, we will
19 deliver to 7 more this weekend, and we're just about out
20 of wood. All of these families are low income either
21 elderly like the lady I mentioned or single parents with
22 families, and almost to an exception they tell us they
23 can not afford their electric bills and still pay for
24 their food and other expenses they have to have to live,
25 and so that is something that we really are concerned

1036

1 about.

2 I thank you for the opportunity to speak this
3 evening and for you holding this hearing, thank you very
4 much.

5 CHAIRWOMAN SHOWALTER: Thank you.

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7 Whereupon,

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ROGER ROBINSON,

9 having been first duly sworn, was called as a witness
10 herein and was examined and testified as follows:

11

12 CHAIRWOMAN SHOWALTER: All right, Roger
13 Robinson has a question mark, but I did see you stand
14 up, so come forward.

15 MR. ROBINSON: Good evening, Madam
16 Chairwoman, Commissioner Oshie. I'm a glass blower.

17 CHAIRWOMAN SHOWALTER: Please give us your
18 name and spell your last name.

19 MR. ROBINSON: Oh, I'm sorry, Roger Robinson,
20 R-O-B-I-N-S-O-N. I'm a glass blower, I moved up here
21 from California five years ago and opened my shop. And
22 the reason that I moved up here was that my gas bill in
23 California was about \$2,500 a month. That's for all my
24 furnaces, my electric, my ovens, and all of that. And
25 when I moved up here in '99 with the same equipment, set

1037

1 up my shop out on Cooper Point Road and started to work,
2 my gas bill was about \$1,200 a month, which I knew the
3 rates were cheaper here when I came here. And as of
4 last month, my bill has gone up over double, it's \$3,500
5 a month now for the gas and the electric.

6 Part of the reason that we moved up here was
7 that the great dams up in Electric City on the Columbia
8 there, I walked -- I toured that facility, and the
9 gentleman that took us through it showed us the
10 generators, these enormous generators, and he said that
11 one of those generators in 1950 was enough to take care
12 of all of Seattle and this area. Of course, it's grown
13 and so, you know, double that, so he needs two
14 generators now, maybe it's doubled in population. But
15 there are six generators up there, so I wonder why, why
16 can't our needs be met? I mean what's changed?

17 You know, when I came here to have PSE and,
18 you know, be my provider for the electric, they charged
19 me to run in the lines. You know, in the old days, I'm
20 kind of an older fellow, you know, if you needed power
21 they would come out, put in a transformer, run the lines
22 in right up to your door. Now you have to pay for
23 everything. So where is the money that they want? What
24 are they going to do with it? You know, I mean it seems
25 to me that it's profiteering.

1038

1 You know, I just read an article in the
2 Bellingham Weekly linking PSE to Enron, you know, that
3 there's memos between the two companies about all the
4 power that was, you know, all the artificial rates that
5 were ran up, and I wonder if any of you people look into
6 that. I wonder who is in charge of this state. It
7 seems like there's plenty of power here, I don't see
8 where anything has changed where all of the
9 infrastructure has tripled or quadrupled. it seems like
10 it's all there, it's just that the players have changed,
11 and it's PSE, and they found some cute ways to deal with
12 the public.

13 And that's really all I had to say, I thank
14 you for your time.

15 CHAIRWOMAN SHOWALTER: Thank you.

16 I believe I have called on everyone who
17 signed up. I did see a woman come in a little bit
18 later, did you want to comment?

19 All right, does anyone else in the audience
20 wish to give testimony?

21 All right, in that event I think the hearing
22 is over, and you are welcome to stay a little bit and
23 ask questions if you like of the representatives here.
24 Thank you very much for coming, we appreciate your
25 testimony and also just your coming and listening.

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1 Thank you.

2 (Hearing adjourned at 6:30 p.m.)

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