

EXHIBIT NO. ___(LFL-21T)
DOCKET NO. UE-051828/UE-051966
WITNESS: LYNN F. LOGEN

**BEFORE THE
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

**WESTERN VILLAGE, LLC, D/B/A
WESTERN VILLAGE ESTATES,**

Complainant,

v.

PUGET SOUND ENERGY, INC.

Respondent.

Docket No. UE-051828

**WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION,**

Complainant,

v.

PUGET SOUND ENERGY, INC.,

Respondent.

Docket No. UE-051966

**PREFILED TESTIMONY OF
LYNN F. LOGEN (NONCONFIDENTIAL)
ON BEHALF OF PUGET SOUND ENERGY, INC.
IN RESPONSE TO THE
PREFILED TESTIMONY OF WESTERN VILLAGE, LLC
DATED MARCH 8, 2006**

APRIL 19, 2006

PUGET SOUND ENERGY, INC.

PREFILED RESPONSE TESTIMONY OF LYNN F. LOGEN

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PUGET SOUND ENERGY, INC.

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PREFILED RESPONSE TESTIMONY OF LYNN F. LOGEN

3

I. INTRODUCTION

4

Q. Are you the same Lynn F. Logen who prefiled direct testimony on behalf of Puget Sound Energy, Inc. ("PSE" or "the Company") in this consolidated proceeding on March 8, 2006?

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A. Yes.

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Q. What is the purpose of this response testimony?

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A. In accordance with the Prehearing Conference Order in this proceeding, this

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testimony responds to the direct testimony filed by complainant Western Village,

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LLC ("Western Village") on March 8, 2006, which was Western Village's direct

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testimony on issues in which it has the burden of proof. On March 8, 2006,

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Western Village filed the Declaration of Doug Anderson, the manager of Western

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Village Estates mobile home park. My testimony responds to assertions made by

15

Mr. Anderson that are within my areas of knowledge and expertise.

1 **II. PSE DOES NOT OWN, OPERATE OR MAINTAIN "ALL"**
2 **ELECTRICAL SERVICE FACILITIES AT WESTERN VILLAGE**

3 **Q. Do you have any general observations about the Anderson Declaration?**

4 A. Yes. As explained in greater detail in Mr. Greg Zeller's response testimony,
5 Exhibit No. ___(GZ-5T), the Anderson Declaration does not appear to distinguish
6 between the electrical facilities at Western Village that PSE does own, operate
7 and maintain and those it does not. PSE only owns, operates and maintains PSE's
8 electrical distribution system up to the point of delivery at which the individual
9 PSE customers and/or Western Village, as the property owner, become
10 responsible for the electric facilities through which they receive service.

11 Because Western Village is a mobile home park of lots that are rented to resident
12 tenants, service facilities at the park, specifically the underground secondary
13 voltage service lines – also called "service lines" or "services", are considered
14 Non-Residential under PSE's tariff Schedule 85. This means that the Company is
15 not responsible for the underground secondary voltage service lines at the park.
16 Instead, per the current version of PSE's Schedule 85:

17 *The Customer shall be responsible for ownership and operation of*
18 *all underground services and for all costs for installation,*
19 *maintenance and replacement thereof.*

20 (Emphasis added.) A copy of the current Schedule 85 was provided as Exhibit
21 No. ___(LFL-2). I explained the details regarding PSE's relevant tariff schedules
22 in my prefiled direct testimony in this proceeding, Exhibit No. ___(LFL-1T), and
23 will not repeat that testimony here to avoid burdening the record.

1 **Q. Who is "the Customer" referenced in Schedule 85?**

2 A. My prefiled direct testimony also discusses this issue in detail. To summarize,
3 the Western Village complaint did alert PSE that there is an ambiguity in the
4 current version of Schedule 85 as to whether a property owner/landlord or the
5 individual tenant receiving service through an existing Non-Residential service
6 line is responsible for the service line that is providing electrical service to the
7 tenant as a PSE end-use customer. PSE's proposed revisions to Schedules 80 and
8 85, which were suspended and consolidated as part of this proceeding, would
9 clarify that property owners have this responsibility rather than individual tenants.
10 As described in my prefiled testimony and the prefiled testimony of Mr. Zeller,
11 PSE believes that property owners should have such responsibility because they
12 are in a better position to manage this responsibility than their tenants.

13 Whatever the outcome of PSE's proposed tariff revisions, in no case can PSE's
14 tariff be read to place the responsibility for underground service lines at mobile
15 home parks on the Company. Such a reading would be flatly contrary to the plain
16 language of Schedule 85 that is quoted above.

1 **Q. Are you aware that Company field crews may have repaired underground**
2 **service lines at mobile home parks from time to time after October 21, 1977,**
3 **notwithstanding the tariff change described in your prefiled direct**
4 **testimony?**

5 A. Yes, the Commission's records of the informal complaint brought to the
6 Commission in 1994 by a mobile home park owner state that I told the
7 Commission's consumer affairs Staff at that time that the Company's Northern
8 Division was not enforcing the tariff change and continued to maintain service
9 lines after the October 21, 1977, tariff change until the Company became aware of
10 the noncompliance. They also state that at that time, the Northern Division was
11 brought into compliance and a letter went out to mobile home park owners in that
12 Division (which was dated July 1, 1994) advising them of the tariff provisions
13 and their responsibility for service lines. The records further state that the letter is
14 what prompted the 1994 informal complaint. *See* Exhibit No. ___(LFL-12) at
15 pp. 3, 7, 11.

16 I remember the 1994 informal complaint and some of the discussions related to it
17 at the time. From what I remember, some repairs were being made to existing
18 service lines at mobile home parks in the Northern Division even though that was
19 not consistent with the Company's tariff schedules after October 21, 1977. I do
20 not recall the specifics of any repairs, but I remember the issue was the repair of a
21 few existing service lines rather than installation of new service lines that under
22 the tariff were supposed to be installed by a property owner or developer.

1 To the extent any such service line repairs were made by the Company at Western
2 Village or other mobile home parks after October 21, 1977, on behalf of mobile
3 home park owners, developers or customers, the repairs would have violated the
4 Company's tariff.

5 **III. THE TARIFF SCHEDULE THAT SETS FORTH THE COST**
6 **FOR ELECTRIC ENERGY DELIVERED BY PSE FOR**
7 **RESIDENTIAL SERVICE IS NOT THE SAME TARIFF**
8 **SCHEDULE THAT GOVERNS SERVICE LINE**
9 **RESPONSIBILITIES**

10 **Q. The Anderson Declaration states that "[P]SE provided and continues to**
11 **provide, electrical service directly to the residents of [Western Village] for**
12 **which PSE bills each individual resident who is provided electrical service."**
13 **(Anderson Decl. ¶ 3) Does this have any bearing on who is responsible for**
14 **the service lines?**

15 A. No. Mr. Anderson's Declaration repeats several times the term "residents" and
16 refers to PSE billing tenants at the mobile home park under a "residential" rate.
17 Western Village appears to be focusing on the tariff schedule that governs the
18 costs for electric energy delivered by PSE to a residential customer. But that
19 residential service tariff schedule does not govern the installation, maintenance
20 and replacement of service lines. The electric energy that is provided by PSE to
21 residential tenants of Western Village is billed under the terms of Schedule 7, a
22 copy of which is provided as Exhibit No. ___(LFL-22). Note that Schedule 7 sets
23 forth a monthly basic charge and an energy charge per kilowatt hour (kWh).

1 Schedule 7 does not address service line responsibilities, the point of delivery, or
2 other aspects of electric service beyond the monthly recurring charges for such
3 service. Instead, installation, maintenance and replacement of service lines is
4 controlled by Schedule 85.

5 As explained in my prefiled direct testimony, Schedule 85 explicitly defines what
6 is considered to be "Non-Residential" service for purposes of the responsibilities
7 set forth in Schedule 85. Mobile home parks fall within that "Non-Residential"
8 definition for purposes of Schedule 85, except under limited circumstances that
9 include ownership of the underlying lots by residents in the park.

10 While the definition in Schedule 85 is controlling and should end the inquiry, it is
11 worth noting that Western Village, LLC *is a business*. It rents out lots to the
12 tenants that reside within the mobile home park, presumably at a rate that permits
13 Western Village to recover its costs of doing business, including managing the
14 mobile home park and its common areas and facilities. PSE believes that it is
15 reasonable to expect the landlords/owners who run such a business to keep track
16 of service line locations and to repair or replace them when needed rather than
17 expecting individual tenants to do so.

18 **Q. The Anderson Declaration states that "The residents of [Western Village]
19 are PSE's customers." (Anderson Decl. ¶ 4) Is this completely accurate?**

20 A. The statement is partially accurate but incomplete. While the tenants of Western
21 Village are PSE's customers under Schedule 7 for electric energy consumed at

1 each of their mobile homes, Western Village itself is also a PSE electric customer
2 for electric energy consumed at the laundry for the mobile home park and at some
3 storage facilities. Western Village is also the PSE customer for electric energy
4 consumed at lots 117-129, which it rents out to persons staying at the premises in
5 recreational vehicles on a temporary basis. *See* Exhibit No. ____ (LFL-23).

6 Western Village is billed for such electric energy under Schedule 8, which
7 additionally references Schedules 24 and 194. Copies of these tariff schedules are
8 provided as Exhibit No. ____ (LFL-24).

9 Even if the Commission were to agree with Western Village that the PSE end-use
10 customers for electric energy at mobile home parks are responsible for service
11 lines rather than the property owner, Western Village should be deemed to be
12 responsible for the service lines that supply electric service for which it is billed
13 by PSE under Schedule 8.

14 **Q. The Anderson Declaration states that "[a]t the time [Western Village] was**
15 **built, [Western Village] was not master metered for electrical service**
16 **provided by [PSE]." (Anderson Decl. ¶ 3) Does this have any bearing on**
17 **who is responsible for the service lines?**

18 A. No, service line responsibility is not determined by whether or not a mobile home
19 park is master metered. Instead, it is determined by the tariff schedule setting
20 forth service line responsibilities, which is currently Schedule 85.

1 **IV. CONCLUSION**

2 **Q. Does that conclude your testimony?**

3 **A. Yes, it does.**

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