

**BEFORE THE HEARING EXAMINER
FOR THE CITY OF BELLEVUE**

In the Matter of the Conditional Use)	
Permit Application filed by)	
)	Permit No. 17-120556-LB
PUGET SOUND ENERGY (PSE),)	
)	
Applicant,)	PREHEARING SCHEDULING
)	ORDER
for the South Bellevue Segment of)	
PSE’s Energize Eastside Project)	
)	

1. On February 13, 2019, the Hearing Examiner conducted a Pre-hearing Conference (PHC) for the above-captioned matter. The applicant is Puget Sound Energy, and the requested Conditional Use Permit is subject to review by, and a recommendation to the Hearing Examiner from, the City of Bellevue’s Development Services Department.

2. Prior to the pre-hearing conference, a group of local residents, known as “CENSE”, filed a written Motion to Continue and Consolidate this matter, and the Department and PSE both filed Responses opposing such motion, in accord with direction provided by the Examiner’s Office. On the day before the PHC, CENSE filed a second motion, seeking to compel PSE to provide certain information and data before the permit hearing.

3. At the PHC, the applicant, the Department, and CENSE were each represented by counsel, who provided input on questions regarding the pending motions and other topics addressed by the Examiner.

4. This written order is intended to summarize the main topics discussed at the conference. All parties were fully informed on deadlines addressed herein, and the fact this written order is dated after some deadlines announced during the Prehearing Conference does not waive or excuse any party’s failure to comply with same. Based on the substance of the pre-hearing conference and information in the file, the following Order is entered.

1 5. The following is a short list of relevant pre-hearing deadlines:

<u>DUE DATE</u>	<u>DOCUMENT</u>
2 Feb. 13, 2019	CENSE Reply to Responses to Motion to Continue and Consolidate
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4 Feb. 20, 2019	PSE's deadline to supplement record with materials not already included in the Department's project file
5	
6 Feb. 20, 2019	PSE's deadline to submit Response to CENSE Motion to Compel
7	
8 Feb. 22, 2019	CENSE deadline to submit Reply to PSE Response to Motion to Compel
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10 March 1, 2019	(tentative) – Date Examiner may rule on pending motions
11 March 1, 2019	Prehearing Motion Deadline (all participants)
12 March 6, 2019	Response to any additional prehearing Motions due
13 March 7, 2019	Reply to any Responses to additional prehearing Motions Due
14 March 18, 2019	Prehearing Memos Due (all parties) – limited to 10 pages (single-sided, 12 pt font)
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16 *NOTE: As of the date of this Order, all parties have submitted materials in compliance with
17 deadlines that have already come and gone.

18 6. Project File: As announced in the Pre-hearing Conference, the Department posted
19 copies of materials included in the Project File for this application on the City's website, as
part of links to materials regarding the Energize Eastside Project.

20 7. Service and Filing: All filings and documents required to be exchanged shall be
21 emailed from each party to all other parties. Materials that must be filed with the Hearing
22 Examiner's Office shall be directed to the attention of the Examiner's Clerk, Karen Hohn.
23 Service and filing may be accomplished by email or personal delivery, though before the
24 hearing, email of documents in .pdf format is strongly preferred. The date of service and the
25 date of filing is the date of receipt. The service and filing deadline shall be 5:00 p.m. unless
otherwise stated in this order, though items should be served no later than 4:00 p.m. on any
due date, to allow parties to confirm receipt or complete transmittals/receipt of materials by
close of business.

1 8. Rules of Procedure: The upcoming hearing on the pending application will be guided
2 by the Rules of Procedure for the Bellevue Hearing Examiner, accessible on the City's
3 webpage. As noted during the prehearing conference, all persons appearing at a hearing –
4 including without limitation attorneys, staff and consultants for the applicant, the
5 Department, and community groups, as well as individual members of the public – shall
6 conduct themselves with civility and courtesy and shall abide by all rules and orders of the
7 examiner. Rule No. 1.5 explains that no profanity, combative, rude, degrading questions or
8 testimony will be allowed, and that any person(s) engaging in any form of disruptive behavior
9 shall be deemed to have forfeited his/her/their right to participate in the hearing process and
10 may be removed; and that the examiner may limit or prohibit the use of picket signs, posters,
11 flags or other visible or audible demonstrations as necessary to maintain order and the
12 appearance of fairness in any hearing.

13 9. A subsequent order may be issued to establish reasonable time limits or to address
14 other matters that should be addressed before the hearing.

15 ISSUED this 26th Day of February, 2019

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Gary N. McLean
Hearing Examiner