

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION
COMMISSION

WASHINGTON UTILITIES AND)	
TRANSPORTATION COMMISSION,)	
)	DOCKET NO. UG-010957
Complainant,)	
)	COMPLAINT AND ORDER
v.)	SUSPENDING CONTRACT
)	
CASCADE NATURAL GAS)	
CORPORATION)	
)	
Respondent.)	
)	

.....

BACKGROUND

- 1 On July 2, 2001, Cascade Natural Gas Corporation (Cascade) filed a contract with the Commission. The stated effective date is the date of execution, June 15, 2001. The contract is subject to regulatory approval and service and charges are to commence with the scheduled in service date May 1, 2003, of the customers facilities. The proposed contract with E-Next Generation, LLC (E-Next) provides E-Next with discount rates over current tariff rates for an indefinite term. The initial term is 30 years with an option to E-Next to extend the contract year by year after that at a further reduced rate.

- 2 The contract would establish rates and level of service for E-Next for an extended period of time. Because the terms of the contract might injuriously affect the rights and interests of the public, and Cascade has not demonstrated that the contract would result in rates that are fair, just, and reasonable, the Commission suspends the contract.

FINDINGS

- 3 (1) Cascade is a gas company and is a public service company subject to the jurisdiction of the Commission.

- 4 (2) The contract filed by Cascade on July 2, 2001, would establish rates and service levels for E-Next for a minimum of 30 years, and might injuriously affect the rights and interests of the public.
- 5 (3) Cascade has not demonstrated that the contract would result in rates that are fair, just, and reasonable.
- 6 (4) As required by RCW 80.04.130, Cascade bears the burden of proof to show that the proposed contract is fair, just, and reasonable.
- 7 (5) In order to carry out the duties imposed upon the Commission by law, and as authorized in RCW 80.20.20, the Commission believes it necessary to investigate Cascade's books, accounts, practices and activities; to make a valuation or appraisal of Cascade's property; and to investigate and appraise various phases of Cascade's operations. Cascade may be required to pay the expenses reasonably attributable and allocable to such an investigation to the extent the requirements for such payment are in accordance with the provisions of chapter 80.20 RCW.

ORDER

8 THE COMMISSION ORDERS:

- 9 (1) The contract filed on July 2, 2001, is suspended.
- 10 (2) Cascade Natural Gas Corporation must not change or alter the contract filed in this docket during the suspension period, unless authorized by the Commission.
- 11 (3) The Commission will institute an investigation of Cascade Natural Corporation's books, accounts, practices, activities, property, and operations, as described above.
- 12 (4) Cascade Natural Gas Corporation shall pay the expenses reasonably attributable and allocable to the Commission's investigation to the extent the requirements for such payment are in accordance with the provisions of chapter 80.20 RCW.

DATED at Olympia, Washington, and effective this 25th day of July, 2001.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARILYN SHOWALTER, Chairwoman

RICHARD HEMSTAD, Commissioner

PATRICK J. OSHIE, Commissioner