

**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND)	DOCKET UG-080546
TRANSPORTATION COMMISSION,)	
)	
Complainant,)	ORDER 02
)	
v.)	
)	PREHEARING CONFERENCE
NORTHWEST NATURAL GAS)	ORDER
COMPANY,)	
)	
Respondent.)	
)	
.....)	

BACKGROUND

1 On March 28, 2008, Northwest Natural Gas Company (NW Natural or Company) filed with the Washington Utilities and Transportation Commission (Commission) revisions to its currently effective Tariff WN U-6. The stated effective date is May 1, 2008. The proposed revisions would implement a general rate increase of \$4.34 million, or 4.75 percent.

2 The Commission suspended the filing on April 3, 2008, and set the matter for hearing.

3 **CONFERENCE/PRESIDING OFFICERS.** The Commission convened a prehearing conference in this proceeding at Olympia, Washington on April 24, 2008, before Administrative Law Judge Adam E. Torem, whom the Commission appoints as presiding officer in this proceeding.

4 **PARTY REPRESENTATIVES:** James Van Nostrand, Perkins Coie LLP, Portland, Oregon, and Inara K. Scott, NW Natural, Portland, Oregon, represent NW Natural. Edward A. Finklea and Chad M. Stokes, Cable Huston Benedict Haagenesen & Lloyd LLP, Portland, Oregon, represent Northwest Industrial Gas Users (NWIGU). Ronald L. Roseman, Attorney, Seattle, Washington, represents the Energy Project. Steven Weiss, Senior Policy Associate, Salem, Oregon, represents the NW Energy Coalition. Sarah Shifley and Simon ffitch, Assistant Attorneys General, Seattle, Washington,

represent the Public Counsel Section of the Washington Office of Attorney General (Public Counsel). Sally Brown, Senior Assistant Attorney General, Greg Trautman, Assistant Attorney General, and Jennifer Cameron-Rulkowski, Assistant Attorney General, Olympia, Washington, represent the Commission's regulatory staff (Commission Staff or Staff).¹

5 **PETITIONS FOR INTERVENTION.** The following businesses and organizations filed petitions to intervene in this proceeding: NWIGU, The Energy Project, and the NW Energy Coalition. No objections were made to the petitions. Each of these petitioners demonstrated their substantial interest in the proceeding and that their participation will be in the public interest. The petitions to intervene by NWIGU, The Energy Project, and the NW Energy Coalition are granted.

6 **PROTECTIVE ORDER.** The Commission will enter a protective order in this docket under RCW 34.05.446, RCW 80.04.095, WAC 480-07-420 and WAC 480-07-423, to protect the confidentiality of proprietary information.

7 **DISCOVERY.** Discovery will continue pursuant to the Commission's discovery rules, WAC 480-07-400 – 425. In addition, to expedite the exchange of potentially relevant information, all parties are required to provide all work papers, including model runs and source documents, at the time they prefile testimony and exhibits, or as soon thereafter as possible. The Commission urges the parties to work cooperatively together to avoid having to bring discovery matters forward for formal resolution.

8 **PROCEDURAL SCHEDULE.** The parties agreed on a procedural schedule during the conference. The Commission adopts this procedural schedule as set forth below and in Appendix B to this Order.

Prefiled Direct Testimony

March 28, 2008

¹ In formal proceedings, such as this, the Commission's regulatory staff functions as an independent party with the same rights, privileges, and responsibilities as other parties to the proceeding. There is an "*ex parte* wall" separating the Commissioners, the presiding Administrative Law Judge, and the Commissioners' policy and accounting advisors from all parties, including regulatory Staff. *RCW 34.05.455*.

Public Notice Report	May 28, 2008
Issue Discussion/Settlement Conference	September 26, 2008
Staff, Public Counsel, and Intervenor Response Testimony	October 24, 2008
Public Comment Hearing (Vancouver)	November 13, 2008
Company, Rebuttal and Cross- Answering Testimony	November 21, 2008
Settlement Conferences	December 8-9, 2008
Evidentiary Hearing	January 6-7, 2009
Initial Briefs	January 30, 2009
Reply Briefs	February 6, 2009
Suspension Date	February 28, 2009

9 Public Counsel is required to submit a status report concerning its efforts to reach consensus with Staff and NW Natural on the content and format of any public notice NW Natural is required to issue in connection with this proceeding. The status report must be filed at least five business days prior to the intended date of first publication of the notice; as noted above, Public Counsel's status report shall be filed no later than Wednesday, May 28, 2008.

10 **NOTICE OF HEARING.** The Commission will hold evidentiary hearings in this matter beginning Tuesday, January 6, 2009, at 9:30 a.m., in the Commission's Hearing Room, Second Floor, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington. As necessary, the evidentiary hearing will conclude the following day, on Wednesday, January 7, 2009.

- 11 The agreed procedural schedule currently calls for initial and reply post-hearing briefs from the parties on January 30, 2009, and February 6, 2009, respectively. The parties may wish to consolidate their post-hearing briefing into a single simultaneous filing from each party on February 6, 2009. If so, the parties may petition the Commission to postpone the evidentiary hearing until Monday, January 12, 2009, and Tuesday, January 13, 2009. The parties shall file any agreed joint motion in this regard no later than October 31, 2008, or request leave for additional time to file this motion.
- 12 **NOTICE OF PUBLIC COMMENT HEARING.** The Commission will hold a public comment hearing in this matter on Thursday, November 13, 2008, at 6:00 p.m., in a location to be determined in Vancouver, Washington. A separate subsequent notice will be issued designating the location of the public comment hearing.
- 13 **DOCUMENT PREPARATION AND FILING REQUIREMENTS.** Parties must file the original plus **12 copies** of the unredacted versions of all pleadings, motions, briefs, and other prefiled materials. Parties must also file the original and 1 copy of any redacted version(s). These materials must conform to the format and publication guidelines in WAC 480-07-395 and WAC 480-07-460. The Commission prefers that materials be three-hole punched with *oversized* holes to allow easy handling. The Commission may require a party to refile any document that fails to conform to these standards.
- 14 All filings must be mailed or delivered to the Executive Secretary, Washington Utilities and Transportation Commission, P.O. Box 47250, 1300 S. Evergreen Park Drive, S.W., Olympia, Washington 98504-7250. Both the post office box and street address are required to expedite deliveries by the U.S. Postal Service.
- 15 An electronic copy of all filings must be provided through the Commission's Web Portal (www.utc.wa.gov/e-filing) or by e-mail delivery to records@utc.wa.gov. Alternatively, parties may furnish an electronic copy by delivering with each filing a 3.5-inch IBM-formatted high-density diskette or CD including the filed document(s). Parties must furnish electronic copies in MS Word 6.0 (or later) supplemented by a separate file in .pdf (Adobe Acrobat) format. Parties must follow WAC 480-07-140(5) in organizing and identifying electronic files.

- 16 **ELECTRONIC SUBMISSION OF DOCUMENTS.** The presiding officer grants a one-day extension of the paper-filing requirement under WAC 480-07-145(6), allowing electronic submission of documents with the Commission on the filing deadline. Parties must submit documents through the Commission's Web Portal (www.utc.wa.gov/e-filing) or by e-mail to records@utc.wa.gov, and file an original, plus 12 paper copies,² of the documents with the Commission by the following business day. Parties must provide courtesy copies of their electronic submissions to the presiding administrative law judges and the parties to the proceeding.
- 17 **ALTERNATE DISPUTE RESOLUTION.** The Commission supports the informal settlement of matters before it. Parties are encouraged to consider means of resolving disputes informally. The Commission does have limited ability to provide dispute resolution services; if you wish to explore those services, please call Ann Rendahl, Director, Administrative Law Division, at 360-664-1144.
- 18 **NOTICE TO PARTIES: A party who objects to any portion of this Order must file a written objection within ten (10) calendar days after the service date of this Order, pursuant to WAC 480-07-430 and WAC 480-07-810. The service date appears on the first page of the order in the upper right-hand corner. Absent such objection, this Order will control further proceedings in this matter, subject to Commission review.**

Dated at Olympia, Washington, and effective April 29, 2008.

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

ADAM E. TOREM
Administrative Law Judge

² See, *supra*, ¶ 13 for detailed filing requirements when documents include material designated confidential.

APPENDIX A

**PARTIES' REPRESENTATIVES
DOCKET UG-080546**

PARTY	REPRESENTATIVE	PHONE	FACSIMILE	E-MAIL
NW Natural	JAMES VAN NOSTRAND Perkins Coie LLP 1120 NW Couch Street 10 th Floor Portland, OR 97209-4128	503-727-2162	503-346-2162	jvannostrand@perkinscoie.com
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	ONITA KING DONNA BARNETT KELLEY MILLER			ork@nwnatural.com dbarnett@perkinscoie.com kelley.miller@nwnatural.com
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PARTIES' REPRESENTATIVES
DOCKET UG-080546

PARTY	REPRESENTATIVE	PHONE	FACSIMILE	E-MAIL
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The Energy Project	RONALD L. ROSEMAN Attorney At Law 2011 14 th Avenue East Seattle, Washington 98112	206-324-8792	206-568-0138	ronaldroseman@comcast.net Chuck Eberdt @opportunitycouncil.org
NW Energy Coalition	STEVEN WEISS Senior Policy Associate 4422 Oregon Trail Court NE Salem, OR 97305	503-851-4054	503-393-8859	steve@nwenergy.org

**APPENDIX B
PROCEDURAL SCHEDULE
DOCKET UG-080546**

<u>EVENT</u>	<u>DATE</u>	<u>INTERVAL</u> (Days)
Company Direct Testimony and Exhibits	Friday, March 28, 2008	61
Public Notice Report	Tuesday, May 28, 2008	
Issue Discussion/Settlement Conference (parties only)	Friday September 26, 2008	
Staff, Public Counsel and Intervenor Response Testimony and Exhibits	October 24, 2008	149
Joint Motion to Alter Hearing and Briefing Schedule (if needed)	October 31, 2008	7
Public Comment Hearing (in Vancouver, WA)	Thursday, November 13, 2008	13
Company Rebuttal Testimony and Exhibits Staff, Public Counsel and Intervenor Cross-Answering Testimony and Exhibits	Friday, November 21, 2008	8
Settlement Conference (parties only)	Monday & Tuesday December 8-9, 2008	
Evidentiary Hearing	Tuesday & Wednesday January 6-7, 2009	46
Opening Briefs	Friday, January 30, 2009	23
Reply Briefs	Friday, February 6, 2009	7
Suspension Date	March 1, 2009	23