

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND  
TRANSPORTATION COMMISSION,  
  
Complainant,  
  
v.  
  
CASCADE NATURAL GAS  
CORPORATION,  
  
Respondent.

DOCKET UG-210755  
  
ORDER 03  
  
PREHEARING CONFERENCE  
ORDER; NOTICE OF VIRTUAL  
HEARING  
**(Set for June 1-2, 2022, at 9 a.m.)**

1 **NATURE OF PROCEEDING.** On September 30, 2021, Cascade Natural Gas Corporation (Cascade or Company) filed with the Washington Utilities and Transportation Commission (Commission) revisions to its currently effective Tariff WN U-3. The purpose of the filing is to increase rates and charges for natural gas service provided to customers in the state of Washington. Specifically, Cascade requests authority to increase charges and rates for natural gas service by approximately \$13.7 million, or 5.12 percent in base rates. The Commission suspended operation of the tariffs on October 13, 2021, by Order 01 entered in this Docket.

2 **CONFERENCE.** The Commission convened a virtual prehearing conference on October 25, 2021, before Administrative Law Judges Samantha Doyle and Rayne Pearson.

3 **APPEARANCES.** Donna Barnett and Megan Lin, Perkins Coie LLP, Bellevue, Washington, represent Cascade. Nash Callaghan, Assistant Attorney General, Lacey, Washington, represents Commission staff (Staff).<sup>1</sup> Ann N.H. Paisner, Lisa Gafken, and Nina M. Suetake, Assistant Attorneys General, Seattle, Washington, represent the Public Counsel Unit of the Attorney General’s Office (Public Counsel). Chad M. Stokes and

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<sup>1</sup> In formal proceedings such as this, the Commission’s regulatory staff participates like any other party, while the Commissioners make the decision. To assure fairness, the Commissioners, the presiding administrative law judge, and the Commissioners’ policy and accounting advisors do not discuss the merits of this proceeding with the regulatory staff, or any other party, without giving notice and opportunity for all parties to participate. See RCW 34.05.455.

Tommy Brooks, Cable Huston LLP, Portland, Oregon, represent the Alliance of Western Energy Consumers (AWEC). Yochanan Zakai, Shute, Mihaly & Weinberger LLP, represents The Energy Project. Contact information for the representatives of each party is attached as Appendix A to this Order.

4 **PETITIONS FOR INTERVENTION.** AWEC and The Energy Project timely filed petitions to intervene.

5 Absent objections to the petitions to intervene, the Commission finds that these petitioners have established a substantial interest in this proceeding and that their participation will be in the public interest. Accordingly, the Commission grants those petitions.

6 **PROTECTIVE ORDER.** The Commission entered Order 02, Protective Order, in this Docket on October 13, 2021.

7 **DISCOVERY.** Order 01 provides that discovery will be conducted under the Commission's discovery rules, WAC 480-07-400 – 425. The Commission urges the parties to work cooperatively together to avoid having to bring discovery matters forward for formal resolution.

8 The Commission believes it will aid discovery in this case if all responses to data requests are shared with all parties. No party objects to the Commission making the exchange of data requests and responses with all parties a requirement for discovery in this case. Accordingly, the Commission requires the parties to share every data request and data request response with all parties, subject to any confidentiality limitations contained in Commission rule or the protective order issued in this docket.

9 At the prehearing conference, Staff proposed further requirements for parties issuing data requests. Staff proposed requiring that the requesting party (1) include a list in the email serving the data request that identifies each data request by number and the subject or issue of each data request being issued and (2) group the data requests by subject or issue in the cover letter serving the data request. No party objected to these proposed requirements. The Commission therefore adopts Staff's recommendations on this issue for the purposes of this case.

10 **PROCEDURAL SCHEDULE.** The non-Company parties presented an agreed procedural schedule at the prehearing conference, and Cascade presented three alternative schedules. The Commission adopts Staff's proposed procedural schedule with several

modifications. The procedural schedule is attached to this Order as Appendix B. The parties may modify the date of the settlement conferences by providing written notice to the Commission.

- 11 **ERRATA SHEETS.** Under WAC 480-07-460(1)(b), the prehearing conference order may establish a deadline for filing errata sheets. No party objects to setting an errata filing deadline for one week prior to the evidentiary hearing, or May 25, 2022, as reflected in Appendix B.
- 12 **DOCUMENT FILING AND SERVICE REQUIREMENTS.** Parties must file and serve all pleadings, motions, briefs, and other pre-filed materials in compliance with all the following requirements:
- (a) Parties must submit electronic copies of all documents by 5 p.m. on the filing deadline established in the procedural schedule (or other deadline as applicable) unless the Commission orders otherwise. Parties must comply with WAC 480-07-140(6) in formatting, organizing, and identifying electronic files.
  - (b) The Commission accepts only electronic versions of documents for formal filing. Parties must submit documents electronically through the Commission's web portal ([www.utc.wa.gov/e-filing](http://www.utc.wa.gov/e-filing)). If a party is unable to use the web portal to submit documents for filing, the Commission will accept a submission via email to [records@utc.wa.gov](mailto:records@utc.wa.gov), provided that the email: (1) explains the reason the documents are not being submitted via the web portal, and (2) complies with the requirements in WAC 480-07-140(5)(b).
  - (c) Due to the COVID-19 pandemic, the Commission is suspending requirements for paper filings in this case.
  - (d) Documents filed with the Commission must conform to the formatting and other requirements in WAC 480-07-395 and WAC 480-07-460 and must comply with the requirements in WAC 480-07-160 and the Protective Order in this docket for documents that include information designated as confidential.
  - (e) Parties must electronically serve the other parties and provide courtesy electronic copies of filings to the presiding administrative law judges ([samantha.doyle@utc.wa.gov](mailto:samantha.doyle@utc.wa.gov) and [rayne.pearson@utc.wa.gov](mailto:rayne.pearson@utc.wa.gov)) by 5 p.m. on the filing deadline unless the Commission orders otherwise. If parties are

unable to email copies, they may furnish electronic copies by delivering them on a flash drive only.

- 13 **EXHIBITS FOR CROSS-EXAMINATION.** Parties are required to file with the Commission and serve all proposed cross-examination exhibits by **5 p.m. on Wednesday, May 25, 2022.** The Commission requires electronic copies in searchable PDF (Adobe Acrobat or comparable software). If any of the exhibits contain information designated as confidential, parties must file an electronic copy of the redacted version in searchable PDF (Adobe Acrobat or comparable software) of each such exhibit. The exhibits must be grouped according to the witness the party intends to cross examine with the exhibits.
- 14 **EXHIBIT LISTS.** With each submission of pre-filed testimony and exhibits, the party making the submission must include a preliminary exhibit list that identifies each submitted exhibit in the format the Commission uses for exhibit lists it prepares for evidentiary hearings. The Company will prepare its preliminary exhibit list and circulate it to the parties. Each party must file and serve a final list of all exhibits the party intends to introduce into the evidentiary record, including all pre-filed testimony and exhibits, as well as cross-examination exhibits by **5 p.m., Wednesday, May 25, 2022.**
- 15 **CROSS-EXAMINATION TIME ESTIMATES.** Each party must provide a list of witnesses the party intends to cross-examine at the evidentiary hearing and an estimate of the time that party anticipates the cross-examination of that witness will take. Parties should not file witness lists or cross-examination time estimates but must provide them to the administrative law judges ([samantha.doyle@utc.wa.gov](mailto:samantha.doyle@utc.wa.gov) and [rayne.pearson@utc.wa.gov](mailto:rayne.pearson@utc.wa.gov)) and the other parties by **5 p.m., Wednesday, May 25, 2022.**
- 16 **PUBLIC COMMENT HEARING.** The Commission will hold a virtual public comment hearing in this docket prior to the hearing on the final disposition of this case. Cascade customers will receive notice of the date, time, and Zoom link for the public comment hearing, as well as other information required by WAC 480-90-197, at least 30 days prior to the date of the public comment hearing.
- 17 **NOTICE OF EVIDENTIARY HEARING.** The Commission will hold a virtual evidentiary hearing in this docket on **Wednesday, June 1, 2022, at 9 a.m., continuing if needed on Thursday, June 2, 2022.** To participate in the hearing via Zoom, please use the following link: [Click here to join the meeting](#). To participate via telephone, please call (253) 215-8782 and enter the conference ID: 917 4150 9810.

- 18 **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 has limited ability to provide dispute resolution services. If you wish to explore those services, please contact Rayne Pearson, Director, Administrative Law Division, at (360) 664-1136 or [rayne.pearson@utc.wa.gov](mailto:rayne.pearson@utc.wa.gov).
- 19 **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 this Order, in the upper right-hand corner. Absent such objection, this Order will control further proceedings in this docket, subject to Commission review.**

Dated at Olympia, Washington, and effective October 26, 2022.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

*/s/ Samantha Doyle*  
SAMANTHA DOYLE  
Administrative Law Judge

**APPENDIX A - PARTIES' REPRESENTATIVES  
DOCKET UG-210755**

<b>PARTY</b>	<b>REPRESENTATIVE</b>	<b>PHONE</b>	<b>E-MAIL</b>
Cascade Natural Gas	Donna Barnett Megan Lin Perkins Coie LLP 10885 NE 4 <sup>th</sup> Street, Suite 700 Bellevue, WA 98004	(425) 635-1419	<a href="mailto:DBarnett@perkinscoie.com">DBarnett@perkinscoie.com</a> <a href="mailto:MLin@perkinscoie.com">MLin@perkinscoie.com</a>
	Lori Blattner Director Regulatory Affairs Cascade Natural Gas Corporation 8113 W. Grandridge Blvd. Kennewick, WA 99336-7166		<a href="mailto:Lori.Blattner@intgas.com">Lori.Blattner@intgas.com</a>
Commission Staff	Nash Callaghan Assistant Attorney General Office of the Attorney General Utilities and Transportation Division 621 Woodland Square Loop SE P.O. Box 40128 Olympia, WA 98504	(360) 664-1187	<a href="mailto:nash.callaghan@utc.wa.gov">nash.callaghan@utc.wa.gov</a>
	Betsy DeMarco		<a href="mailto:Betsy.demarco@atg.wa.gov">Betsy.demarco@atg.wa.gov</a>
	Jason Ball		<a href="mailto:Jason.ball@utc.wa.gov">Jason.ball@utc.wa.gov</a>
	Joanna Huang		<a href="mailto:Joanna.huang@utc.wa.gov">Joanna.huang@utc.wa.gov</a>
Public Counsel	Ann N.H. Paisner, Lisa Gafken, and Nina M. Suetake Assistant Attorneys General Washington Attorney General's Office Public Counsel Unit 800 Fifth Avenue, Suite 2000 Seattle, WA 98104-3188	(206) 464-6595	<a href="mailto:Lisa.Gafken@atg.wa.gov">Lisa.Gafken@atg.wa.gov</a> <a href="mailto:Ann.Paisner@atg.wa.gov">Ann.Paisner@atg.wa.gov</a> <a href="mailto:Nina.Suetake@atg.wa.gov">Nina.Suetake@atg.wa.gov</a>
	Shay Bauman		<a href="mailto:Shay.Bauman@atg.wa.gov">Shay.Bauman@atg.wa.gov</a>
	Thomas Johnson		<a href="mailto:Thomas.Johnson@atg.wa.gov">Thomas.Johnson@atg.wa.gov</a>
	Chanda Mak		<a href="mailto:chandam@atg.wa.gov">chandam@atg.wa.gov</a>
	Brice C. Hartman		<a href="mailto:Brice.Hartman@athg.wa.gov">Brice.Hartman@athg.wa.gov</a>
	Public Counsel E-Filing		<a href="mailto:PCCSeaEF@atg.wa.gov">PCCSeaEF@atg.wa.gov</a>

PARTY	REPRESENTATIVE	PHONE	E-MAIL
AWEC	Chad M. Stokes Tommy A. Brooks Cable Huston LLP 1001 SW Fifth Avenue, Suite 2000 Portland, OR 97204-1136	(503) 224-3092	<a href="mailto:cstokes@cablehuston.com">cstokes@cablehuston.com</a> <a href="mailto:tbrooks@cablehuston.com">tbrooks@cablehuston.com</a>  <a href="mailto:efinklea@awec.solutions">efinklea@awec.solutions</a>
	Edward A. Finklea Director of Natural Gas AWEC 545 Grandview Drive Ashland, OR 97520		
The Energy Project	Yochanan Zakai Shute, Mihaly & Weinberger LLP 396 Hayes Street San Francisco, CA 94102	(415) 552-7272	<a href="mailto:yzakai@smwlaw.com">yzakai@smwlaw.com</a>  <a href="mailto:shawnc@oppco.org">shawnc@oppco.org</a>
	Shawn Collins The Energy Project 3406 Redwood Avenue Bellingham, WA 98225		

**APPENDIX B - PROCEDURAL SCHEDULE  
DOCKET UG-210755**

<b>EVENT</b>	<b>DATE</b>
Initial Filing	<b>September 30, 2021</b>
Prehearing Conference	<b>October 25, 2021</b>
Settlement Conference #1	<b>January 10, 2022</b>
Staff, Public Counsel, Intervenor Response Testimony and Exhibits <sup>2</sup>	<b>March 15, 2022</b>
Cascade Circulates Joint Issues List	<b>April 1, 2022</b>
Settlement Conference #2	<b>April 5, 2022</b>
Cascade Rebuttal Testimony and Exhibits; Staff, Public Counsel, and Intervenor Cross-Answering Testimony and Exhibits <sup>3</sup>	<b>April 22, 2022</b>
Public Comment Hearing	<b>TBD</b>
Discovery Deadline – Last Day to Issue Data Requests	<b>May 11, 2022</b>
Cascade Files Joint Issues List	<b>May 20, 2022</b>
Cross-examination Exhibits, Witness Lists, and Cross-examination Time Estimates	<b>May 25, 2022</b>
Evidentiary Hearing	<b>June 1 and 2, 2022 at 9 a.m.</b>
Initial Post-Hearing Briefs	<b>June 21, 2022</b>
Reply Briefs	<b>July 5, 2022</b>
Statutory Suspension Deadline	<b>September 1, 2022</b>

<sup>2</sup> Response time to data requests shortened to 7 business days.

<sup>3</sup> Response time to data requests shortened to 5 business days.