

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

COST MANAGEMENT SERVICES,)	DOCKET UG-061256
INC,)	
)	ORDER 04
Complainant,)	
)	
v.)	PREHEARING CONFERENCE
)	ORDER; ESTABLISHING
CASCADE NATURAL GAS)	PROCEDURAL SCHEDULE
CORPORATION,)	
)	
Respondent.)	
.....)	

1 **NATURE OF PROCEEDING.** Docket UG-061256 involves a complaint by Cost Management Services, Inc. (CMS), against Cascade Natural Gas Corporation (Cascade), asserting Cascade is violating state and federal law by selling natural gas at retail to customers that take transportation-only service without the necessary contracts and tariffs on file.

2 **CONFERENCE.** The Commission convened a prehearing conference in this proceeding at Olympia, Washington on March 1, 2007, before Administrative Law Judge Ann E. Rendahl upon notice to all parties.

3 **APPEARANCES.** John A. Cameron and Francie Cushman, Davis Wright Tremaine, LLP, Portland, Oregon, represent CMS. Lawrence H. Reichman and James M. Van Nostrand, Perkins Coie, LLP, Portland, Oregon, represent Cascade. Edward A. Finklea and Chad M. Stokes, attorneys, Cable Huston Benedict Haagenesen & Lloyd LLP, Portland, Oregon, represent the Northwest Industrial Gas Users (NWIGU). Judith Krebs, Assistant Attorney General, Seattle, Washington, represents the Public Counsel Section of the Washington Office of the Attorney General (Public Counsel). Gregory J. Trautman, Assistant Attorney General, Olympia, Washington, represents

the Commission's regulatory staff (Commission Staff or Staff).¹ Contact information provided at the conference for the parties' representatives is attached as Appendix A to this Order.

- 4 **PROCEDURAL SCHEDULE.** Following the Commission's decision in Order 03, the Commission convened this conference to determine how to proceed, and to establish a procedural schedule to address any remaining issues. The parties stated during the conference that there are several items in the order on which they will seek clarification. How the Commission resolves these issues will determine the course of the proceeding. The parties agreed upon the following procedural schedule for motions for clarification:

Simultaneous Motions for Clarification	Thursday, March 22, 2007, by 3:00 p.m.
Simultaneous Responses to Motions for Clarification	Monday, April 9, 2007, by 3:00 p.m.
Prehearing Conference	Wednesday, May 2, 2007, at 9:30 a.m.

The Commission adopts this procedural schedule, which is attached to this Order as Appendix B, and incorporated into the body of this Order by this reference.

- 5 **NOTICE OF PREHEARING CONFERENCE.** The Commission will hold a prehearing conference in this matter on Wednesday, May 2, 2007, at 9:30 a.m. in the Commission's Hearing Room, Second Floor, 1300 S. Evergreen Park Drive S.W., Olympia, Washington. The purpose of the conference is to establish a procedural schedule to address any remaining issues.
- 6 **DOCUMENT PREPARATION AND FILING REQUIREMENTS.** Parties must file an original plus **seven** copies of all pleadings, motions, briefs, and other prefiled materials. These materials must conform to the format and publication guidelines in

¹ In formal proceedings, such as this case, the Commission's regulatory staff functions as an independent party with the same rights, privileges, and responsibilities as any other party 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 advocacy Staff. RCW 34.05.455.

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.

- 7 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.
- 8 An electronic copy of all filings must be provided through the Commission's Web Portal (www.wutc.wa.gov/e-filing) or by e-mail delivery to records@wutc.wa.gov. Alternatively, parties may furnish an electronic copy by delivering with each filing a CE or a 3.5-inch IBM-formatted high-density diskette including the filed document(s). Parties should furnish electronic copies in .pdf (Adobe Acrobat) format, supplemented by a separate file in MS Word 6.0 (or later), or WordPerfect 5.1 (or later) format. Parties are required to follow WAC 480-07-140(5) in organizing and identifying electronic files.
- 9 **ELECTRONIC SUBMISSION OF DOCUMENTS.** In Order 01 in this proceeding, the presiding officer granted a one-day extension of the paper-filing requirement, allowing parties to submit documents to the Commission electronically on the filing deadline. Parties may submit documents electronically either through the Commission's Records Center Web Portal (www.wutc.wa.gov/e-filing) or via e-mail to records@wutc.wa.gov, and must file an original, plus **seven** paper copies, of the document with the Commission by the following business day. Finally, to perfect filing, parties must provide courtesy copies to the presiding administrative law judge and advisory staff as well as the parties to the proceeding.
- 10 **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 the Director, Administrative Law Division, at 360-664-1144.

- 11* **NOTICE TO PARTIES: Any objection to the provisions of this Order must be filed within ten (10) days after the service date of this Order, pursuant to WAC 480-07-430 and WAC 480-07-810. Absent such objection, this Order will control further proceedings in this matter, subject to Commission review.**

Dated at Olympia, Washington, and effective March 5, 2007.

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

ANN E. RENDAHL
Administrative Law Judge

APPENDIX A

**PARTIES' REPRESENTATIVES
DOCKET UG-061256**

PARTY	REPRESENTATIVE	PHONE	FACSIMILE	E-MAIL
Cost Management Services, Inc.	JOHN A. CAMERON FRANCIE CUSHMAN Davis Wright Tremaine LLP 1300 SW Fifth Avenue Suite 2300 Portland, OR 97201	(503) 778-5206 (503) 778-5287	(503) 778-5299 (Same)	johncameron@dwt.com franciecushman@dwt.com
	P. DOUGLAS BETZOLD	(206) 236-8808	(206) 236-8807	Cmsinc1@qwest.net
Cascade Natural Gas	JAMES M. VAN NOSTRAND LAURENCE REICHMAN Perkins Coie LLP 1120 NW Couch St. 10 th Floor Portland, OR 97209-4128	(503) 727-2162 (503) 727-2019	(503) 346-2162 (Same)	JVanNostrand@perkinscoie.com LReichman@perkinscoie.com
	JON STOLTZ			jstoltz@cngc.com
Northwest Industrial Gas Users	EDWARD A. FINKLEA CHAD M. STOKES Cable Huston Benedict Haagensen & Lloyd LLP 1001 SW Fifth Avenue Suite 2000 Portland, OR 97204-1136	(503) 224-3092 (503) 224-3092	(503) 224-3176 (503) 224-3176	efinklea@chbh.com cstokes@chbh.com
Public Counsel	JUDY KREBS Public Counsel Section Office of Attorney General 900 Fourth Avenue Suite 2000 Seattle, WA 98146-1012	(206) 464-6595	(206) 389-2079	judyk@atg.wa.gov

PARTY	REPRESENTATIVE	PHONE	FACSIMILE	E-MAIL
Commission Staff	GREG TRAUTMAN Assistant Attorney General 1400 S. Evergreen Pk. Dr. SW P.O. Box 40128 Olympia, WA 98504-0128	(360) 664-1187	(360) 586-5522	gtrautma@wutc.wa.gov
Commission Advisory Staff	ANN RENDAHL (Admin. Law Judge)	(360) 664-1144	(360) 664-2654	arendahl@wutc.wa.gov
	KIPPI WALKER (Administrative Support)	(360) 664-1139	(360) 664-2654	kwalker@wutc.wa.gov

**APPENDIX B
PROCEDURAL SCHEDULE
DOCKET UG-061256**

EVENT	DATE	INTERVAL
Simultaneous Motion for Clarification	Thursday, March 22, 2007	
Simultaneous Responses to Motions for Clarification	Monday, April 9, 2007	18 Days
Prehearing Conference	Wednesday, May 2, 2007	23 Days
(Any further procedural stages will be determined during the prehearing conference)		