

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

<p>WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION,</p> <p style="text-align: center;">Complainant,</p> <p>v.</p> <p>CASCADE NATURAL GAS CORPORATION,</p> <p style="text-align: center;">Respondent.</p>	<p>DOCKET UG-190210</p> <p>ORDER 03</p> <p>PREHEARING CONFERENCE ORDER; NOTICE OF HEARING (Evidentiary Hearing set for November 4-5, 2019, at 9 a.m.)</p>
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- 1 **NATURE OF PROCEEDING.** On March 29, 2019, 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 \$12.7 million, or 5.56 percent in base rates. The Commission suspended operation of the tariffs on April 3, 2019, by Order 01 entered in this docket.
- 2 **CONFERENCE.** The Commission convened a prehearing conference at Olympia, Washington on April 16, 2019, before Administrative Law Judges Rayne Pearson and Laura Chartoff.
- 3 **APPEARANCES.** Lisa Rackner, McDowell Rackner Gibson PC, Portland, Oregon, represents Cascade. Jennifer Cameron-Rulkowski and Jeff Roberson, Assistant Attorneys General, Olympia, Washington, represent Commission staff (Staff).¹ Lisa W. Gafken, Assistant Attorney General, Seattle, Washington, represent the Public Counsel Unit of the

¹ 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.

Attorney General's Office (Public Counsel). Chad M. Stokes and Tommy Brooks, Cable Huston LLP, Portland, Oregon, represent the Alliance of Western Energy Consumers (AWEC). Simon J. ffitch represents The Energy Project. Contact information for the representatives of those granted party status 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 April 3, 2019.

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. Response times to data requests will be adjusted as set forth in Appendix B.

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 **PROCEDURAL SCHEDULE.** The parties presented an agreed procedural schedule at the prehearing conference. The Commission adopts the parties' proposed procedural schedule, which 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.

10 **DOCUMENT FILING AND SERVICE REQUIREMENTS.** Parties must file and serve all pleadings, motions, briefs, and other pre-filed materials in compliance with all of 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). 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, 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) Parties must also file **an original and five (5)** paper copies (with original signatures, if applicable) of the documents with the Commission by 5 p.m. on the next business day following the filing deadline established in the procedural schedule (or other deadline as applicable), unless the Commission orders otherwise. 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. All hard copy filings must be mailed or otherwise delivered to the Executive Director and Secretary, Washington Utilities and Transportation Commission, P.O. Box 47250, 1300 S. Evergreen Park Drive S.W., Olympia, Washington 98504-7250 until June 28, 2019. After that date, all hard copy filing must be mailed or otherwise delivered to 621 Woodland Square Loop S.E., Lacey, Washington.
- (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 (rayne.pearson@utc.wa.gov and laura.chartoff@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.

- 11 **EXHIBITS FOR CROSS-EXAMINATION.** Parties are required to file with the Commission and serve all proposed cross-examination exhibits by **5 p.m. on Monday, October 28, 2019.** The Commission requires electronic copies in searchable PDF (Adobe Acrobat or comparable software), the original paper copy, and five (5) paper copies of the exhibits. 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. The paper copies of the exhibits also must be organized into sets that are tabbed and labeled.
- 12 **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., Monday, October 28, 2019.**
- 13 **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 (rayne.pearson@utc.wa.gov and laura.chartoff@utc.wa.gov) and the other parties by **5 p.m., Monday, October 28, 2019.**
- 14 **PUBLIC COMMENT HEARING.** The Commission will hold a public comment hearing in this docket in two or more locations prior to the hearing on the final disposition of this case. Cascade's customers will receive notice of the dates, times, and addresses of the public comment hearings, as well as other information required under WAC 480-90-197, at least 30 days prior to the dates of the public comment hearings.
- 15 **NOTICE OF EVIDENTIARY HEARING.** The Commission will hold an evidentiary hearing in this docket on **November 4-5, 2019, at 9 a.m.,** in the Commission's Hearing Room, First Floor, Commission Headquarters, 621 Woodland Square Loop S.E., Lacey, Washington.

- 16 **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 (360-664-1136).
- 17 **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 April 18, 2019.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

RAYNE PEARSON
Administrative Law Judge

**APPENDIX A
PARTIES' REPRESENTATIVES
DOCKET UG-190210**

PARTY	REPRESENTATIVE	PHONE	E-MAIL
Cascade Natural Gas	Lisa Rackner McDowell Rackner & Gibson PC 419 SW 11th Avenue STE 400 Portland, OR 97205	(503) 595-3925	lisa@mrg-law.com
	Michael Parvinen Director Regulatory Affairs Cascade Natural Gas Corporation 8113 W. Grandridge Blvd. Kennewick, WA 99336-7166		michael.parvinen@cngc.com
	Alisha Till		alisha@mrg-law.com
	Adam Lowney		adam@mrg-law.com
Commission Staff	Jeff Roberson Assistant Attorney General Office of the Attorney General Utilities and Transportation Division 1400 S. Evergreen Park Drive S.W. P.O. Box 40128 Olympia, WA 98504	(360) 664-1188	jeff.roberson@utc.wa.gov
	Jennifer Cameron-Rulkowski Assistant Attorney General	(360) 664-1186	jennifer.cameron-rulkowski@utc.wa.gov
	Betty Erdahl		betty.erdahl@utc.wa.gov
	Chris McGuire		chris.mcguire@utc.wa.gov
	Krista Gross		kgross@utc.wa.gov
	Betsy DeMarco		bdemarco@utc.wa.gov
Public Counsel	Lisa Gafken Assistant Attorney General Washington Attorney General's Office Public Counsel Unit 800 Fifth Avenue, Suite 2000 Seattle, WA 98104-3188	(206) 464-6595	Lisa.Gafken@atg.wa.gov
	Sarah Laycock		sarahl2@atg.wa.gov
	Luther Caulkins		lutherc@atg.wa.gov
	Chanda Mak		chandam@atg.wa.gov

PARTY	REPRESENTATIVE	PHONE	E-MAIL
Alliance of Western Energy Consumers	Edward Finklea Director of Natural Gas Alliance of Western Energy Consumers 545 Grandview Drive Ashland, OR 97520	(541) 708-6338	efinklea@awec.solutions
	Chad M. Stokes Cable Huston LLP 1001 SW Fifth Avenue, Suite 2000 Portland, OR 97204-1136	(503) 224-3092	cstokes@cablehuston.com
	Tommy Brooks		tbrooks@cablehuston.com
	Brad Mullins		brmullins@mwanalytics.com
The Energy Project	Simon J. ffitich Attorney at Law 321 High School Rd. NE, Suite D3, Box No. 383 Bainbridge Island, WA 98110	(206) 669-8197	simon@ffitchlaw.com
	Shawn Collins		shawnc@oppco.org
	Carol Baker		carol@ffitchlaw.com

**APPENDIX B
PROCEDURAL SCHEDULE
DOCKET UG-190210**

EVENT	DATE
Rate case filing	March 29, 2019
Initial Settlement Conference	July 17, 2019²
Staff, Public Counsel and Intervenor Response Testimony and Exhibits ³	August 22, 2019
Cascade Natural Circulates Joint Issues Matrix	September 5, 2019
Second Settlement Conference	Week of September 16
Company Rebuttal Testimony and Exhibits; Staff, Public Counsel and Intervenor Cross-Answering Testimony and Exhibits ⁴	October 8, 2019
Notice Issued for Public Comment Hearings	30 days prior to Public Comment Hearings
Public Comment Hearings	TBD (Exact dates and locations to be determined by separate notice)
Cascade Files Joint Issues Matrix	October 21, 2019
Discovery Deadline – Last Day to Issue Data Requests ⁵	October 21, 2019

² The parties may adjust the settlement conference dates by mutual agreement amongst themselves followed by notice to the Commission via letter. Such changes to the settlement conference dates will not require approval from the Commission in this proceeding.

³ Response time to data requests relating to this testimony will be 7 business days.

⁴ Response time to data requests relating to this testimony will be 5 business days.

⁵ Response time to data requests will be 5 business days.

Exhibit List, Cross-Examination Exhibits, Witness Lists, Time Estimates, and Exhibit Errata	October 28, 2019
Evidentiary Hearing	November 4-5, 2019, at 9 a.m.
Post-Hearing Briefs and Updated Joint Issues Matrix	December 19, 2019
Suspension Date	March 1, 2020⁶

⁶ Based on a 10-month suspension from the stated effective date of May 1, 2019, on the as-filed tariff sheets, per RCW 80.04.130.