

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

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| WASHINGTON UTILITIES AND |) | |
| TRANSPORTATION COMMISSION, |) | DOCKET NO. UG-031885 |
| |) | |
| |) | |
| Complainant, |) | ORDER NO. 02 |
| |) | |
| v. |) | |
| |) | PREHEARING CONFERENCE |
| NORTHWEST NATURAL GAS |) | ORDER |
| COMPANY, |) | |
| |) | |
| |) | |
| Respondent. |) | |
| |) | |

- 1 **Proceeding.** Docket No. UG-031885 is a general rate filing by Northwest Natural Gas Company that would increase charges and rates for service by approximately 15% for a total revenue increase of approximately \$7.9 million.
- 2 **Conference.** The Commission convened a prehearing conference in this docket at Olympia, Washington on January 7, 2004, before Administrative Law Judge (ALJ) Karen Caillé.
- 3 **Appearances.** James Van Nostrand, attorney, Stoel Rives LLP, Seattle, WA, and Jennie Bricker, attorney, Stoel Rives LLP, Portland, OR represent Northwest Natural Gas Company (NW Natural). Greg Trautman and Christopher G. Swanson, Assistant Attorneys General, Olympia, WA, represent the Commission’s regulatory staff (Commission Staff). Robert Cromwell, Assistant Attorney General, Seattle, WA, represents the Public Counsel Section, Office of Attorney General (Public Counsel). Edward A. Finklea, attorney, and Chad Stokes, attorney, Energy Advocates LLP, Portland, OR, represent Northwest Industrial Gas Users (NWIGU). John O’Rourke, Program Director for Citizen’s Utility Alliance of Washington (CUA or Alliance), Spokane, WA appeared on behalf of the Alliance. Contact information provided at the conference for the parties’ representatives is attached as Appendix A to this order.

- 4 **Petitions for Intervention.** NWIGU filed a written petition to intervene. Additionally, CUA moved to intervene at the prehearing conference. NWIGU's petition was unopposed by any party. The petition demonstrates that NWIGU has a substantial interest in the outcome of this proceeding and that its participation will be in the public interest. NWIGU's petition is granted.
- 5 Several of the parties objected to CUA's motion to intervene on the basis that CUA had failed to establish that its membership included customers of NW Natural. The parties agreed that if CUA established that it had members who are customers of NW Natural, they would not oppose the intervention. The ALJ offered CUA the opportunity to file a written petition to intervene by January 15, 2004, that would establish that certain of its members are customers of NW Natural.
- 6 On January 13, 2004, CUA filed a written petition to intervene that states that the Alliance has members who will be directly affected by NW Natural's proposed rate increase. The petition demonstrates that CUA has a substantial interest in the outcome of this proceeding and that its participation will be in the public interest. CUA's petition is granted.
- 7 **Discovery.** Parties desire to engage in discovery as to the issues in the proceeding. The proceeding qualifies under WAC 480-07-400 as a proceeding in which inquiries may be made to the extent provided in the discovery rules WAC 480-07-400 through 425. The discovery rules are invoked.
- 8 **Protective Order.** The parties requested that the Commission enter a protective order in this docket pursuant to RCW 34.05.446, RCW 80.04.095, and WAC 480-07-420 to protect the confidentiality of proprietary information. The request was granted, and a protective order will be entered.
- 9 **Hearing Schedule.** The parties agreed to the following schedule for the proceeding:

| | |
|-------------------------------------|-------------------|
| Optional Settlement Discussions | April 15-16, 2004 |
| Responding parties prefile evidence | May 7, 2004 |

Company rebuttal prefiled evidence June 11, 2004

Following June 11, 2004, the discovery turn around will be 7 working days.

Prehearing conference to mark exhibits,
and resolve objections and process issues July 15, 2004
Evidentiary hearings July 22-30, 2004

Public hearing in August
(date and location to be determined)

Simultaneous opening briefs August 27, 2004

Simultaneous reply briefs September 10, 2004

- 10 **Document preparation and process issues.** An original plus 14 copies of all pleadings, motions, briefs, and other prefiled materials must be filed with the Commission. The requirements for all paper copies of these materials are set forth in WAC 480-07-460. In addition to those requirements, parties are reminded that materials must be double-spaced, in 12-point or larger text and footnotes, Times New Roman or equivalent serif, and three-hole punched with *oversized* holes to allow easy handling.

Dated in Olympia, Washington, and effective this 14th day of January 2004.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

KAREN M. CAILLÉ
Administrative Law Judge

NOTICE TO PARTIES: Any objection to the provisions of this Order must be filed within ten (10) days after the date of mailing of this statement, pursuant to WAC 480-07-430(3). Absent such objections, this prehearing conference order will control further proceedings in this matter, subject to Commission review.

Appendix A

| PARTIES' REPRESENTATIVES DOCKET NO. UG-031885 | | | | |
|--|---|----------------------------|----------------|--|
| COMPANY | REPRESENTATIVE and ADDRESS | PHONE NUMBER | FAX NUMBER | E-MAIL ADDRESS |
| Northwest Natural Gas Co. | James M. Van Nostrand Stoel Rives LLP 600 University Street Suite 3600 Seattle, WA 98101-7665 | (206) 386-7665 | (206) 386-7500 | jmvannostrand@stoel.com |
| Commission Staff | Greg J. Trautman Assistant Attorney General 1400 S. Evergreen Park Drive SW P.O. Box 40128 Olympia, WA 98504 | (360) 664-1187 | (360) 586-5522 | gtrautma@wutc.wa.gov |
| Public Counsel | Robert W. Cromwell, Jr. Assistant Attorney General Public Counsel Section Office of Attorney General 900 Fourth Avenue, Suite 2000 Seattle, WA 98164-1012 | (206) 464-6595 | (206) 389-2058 | robertc1@atg.wa.gov |
| Northwest Industrial Gas Users | Edward A. Finklea Energy Advocates LLP 526 NW 18 th Avenue Portland, OR 97209-0220 | (503) 721-9118 | (503) 721-9121 | edfinklea@energyadvocates.com |
| Citizens' Utility Alliance of WA | John O'Rourke Program Director Citizens' Utility Alliance 212 W. 2 nd Ave, Suite 100 Spokane, WA 99201 | (509) 744-3370 Ext. 247 | (509) 744-3374 | o'rourke@snapwa.org |
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