

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION,

Complainant,

v.

CASCADE NATURAL GAS
CORPORATION,

Respondent.

DOCKET UG-190210

COMMISSION STAFF'S MOTION
FOR CONTINUANCE

I. INTRODUCTION

1 Pursuant to WAC 480-07-385(2)(a), Commission Staff (Staff) of the Washington Utilities and Transportation Commission (Commission) moves to continue certain deadlines for filing testimony established by Order 03 in this docket. Specifically, Staff asks the Commission to continue the deadline for response testimony from August 22, 2019, to September 5, 2019, and the deadline for filing rebuttal and cross-answering from October 8, 2019, to October 15, 2019. Staff makes this motion to allow the parties to attempt to finalize a settlement in this docket before preparing testimony that would be mooted by the settlement. No party objects to this motion.

II. RELIEF REQUESTED

2 Staff respectfully requests that the Commission continue the deadline for filing response testimony to September 5, 2019, and the deadline for filing rebuttal and cross-answering testimony to October 15, 2019.

III. STATEMENT OF ISSUES

3 Should the Commission continue the deadlines for the filing of response as well as
rebuttal and cross-answering testimony to allow the parties to attempt to finalize a settlement
in this docket?

IV. STATEMENT OF FACTS

4 On March 29, 2019, Cascade Natural Gas Corporation (Cascade) filed with the
Commission revisions to its currently effective Tariff WN U-3 to increase the rates and
charges for the natural gas services it provides to Washington customers.¹

5 The Commission suspended the tariff revisions pending a hearing on their fairness,
justness, reasonableness, and sufficiency.² It then convened a prehearing conference to,
among other things, establish a procedural schedule for this matter.³ As relevant here, that
schedule established a date for the parties to hold a settlement conference and deadlines for
the filing of response as well as rebuttal and cross-answering testimony: July 17, 2019;
August 22, 2019; and October 8, 2019, respectively.⁴

6 The parties convened for the settlement conference on the date specified by the
Commission. Despite earnest efforts from all in attendance, the parties could not agree to
settlement terms. Nevertheless, the parties agreed to continue to communicate to see if
settlement became possible as they refined their litigation positions.

¹ *Wash. Utils. & Transp. Comm'n v. Cascade Nat. Gas Corp.*, Docket UG-190210, Order 01, at 1 ¶ 1 (Apr. 3, 2019).

² *Id.* at 1 ¶ 2, 2-3 ¶¶ 6-12.

³ *Wash. Utils. & Transp. Comm'n v. Cascade Nat. Gas Corp.*, Docket UG-190210, Notice of Prehearing Conference, at 2 ¶ 7 (Apr. 4, 2019).

⁴ *Wash. Utils. & Transp. Comm'n v. Cascade Nat. Gas Corp.*, Docket UG-190210, Order 01, at Appx. B (Apr. 18, 2019).

7 Over the next few weeks, the parties spoke with one another, and those
communications have been productive. The parties are close to final terms for a settlement
and believe that they can arrive at terms agreed to by all parties within two weeks.

8 As noted, the procedural schedule calls for Staff, Public Counsel, the Alliance of
Western Energy Consumers (AWEC), and The Energy Project to file response testimony on
August 22, 2019, a date falling just after the parties believe that they will have concluded a
settlement. The proximity of the deadline to the date on which the parties believe they will
have completed a settlement necessitated this motion from Staff.

V. ARGUMENT

9 The Commission “will grant a continuance if the requesting party demonstrates good
cause for the continuance and the continuance will not prejudice any party or the
[C]ommission.”⁵ Any party seeking a continuance must specify a date certain for it.⁶

10 Here, the Commission has good cause to grant the limited continuances requested,
neither the Commission nor any party would be prejudiced, and Staff does not request an
open-ended continuance. As to good cause, the continuance would allow the parties to
attempt to reach a full settlement without having to prepare testimony that would be
rendered moot by that settlement. The continuance should thus allow parties the opportunity
to avoid the needless expenditure of resources and to finalize a settlement that would obviate
the need for the Commission to resolve contested issues in this docket. As to prejudice, no
party objects to the continuance sought by Staff, which involves dates selected by Staff after
consultation with the other parties. The Commission should not be adversely affected by the
short continuance sought, and the continuances may result in a lessened workload for the

⁵ WAC 480-07-385(2)(a).

⁶ WAC 480-07-385(4).

Commission as just mentioned. And Staff seeks to continue the deadlines for testimony to dates certain rather than seeking open-ended continuances.

VI. CONCLUSION

11 For the reasons stated above, Staff respectfully requests that the Commission grant the requested continuance and order that response testimony is due September 5, 2019, and that rebuttal and cross-answering testimony is due October 15, 2019. If and when the parties agree to settlement terms, Staff will immediately communicate that fact to the assigned administrative law judge so that the Commission may suspend the procedural schedule in this matter and set a schedule for consideration of the settlement.

DATED this 7th day of August 2019.

Respectfully submitted,

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