

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

WASHINGTON UTILITIES AND)	DOCKET PG-110443
TRANSPORTATION COMMISSION,)	
)	
Complainant,)	ORDER 01
)	
v.)	
)	PREHEARING CONFERENCE
CASCADE NATURAL GAS)	ORDER; NOTICE OF SECOND
CORPORATION,)	PREHEARING CONFERENCE
)	(Set for August 2, 2011, at 9:30 a.m.)
Respondent.)	
)	
.....)	

1 **NATURE OF PROCEEDING.** Docket PG-110443 is a formal complaint filed by Commission Staff against Cascade Natural Gas Corporation (Cascade) alleging 364 violations of Washington Utilities and Transportation Commission (Commission) gas safety rules in several of the districts where Cascade operates. The allegations arise from a Commission investigation of an overpressure event, and standard inspections conducted by the Commission of Cascade’s gas facilities, records and practices in five districts in which Cascade operates in this state. The complaint seeks to have the Commission order Cascade to cure each alleged violation, provide proof of doing so, implement specific compliance and safety measures, and assess a monetary penalty.

2 **CONFERENCE.** The Commission held a prehearing conference on Monday, May 16, 2011, at 1:30 p.m., before Administrative Law Judge (ALJ) Adam E. Torem.

3 **APPEARANCES.** Donald Trotter, Assistant Attorney General, Olympia,
Washington, appeared on behalf of the Commission's regulatory staff (Commission
Staff or Staff).¹ Sheree Strom Carson, Bellevue, Washington, represents Cascade.

4 **INTERVENTION.** The Commission did not receive any petitions for intervention.

5 **PROTECTIVE ORDER.** No party sought a protective order.

6 **DISCOVERY.** The parties did not request that the Commission make formal
discovery available.

7 **SETTLEMENT NEGOTIATIONS.** At the conference, Commission Staff and
Cascade requested the opportunity to engage in settlement discussions before a
procedural schedule is established to determine whether they can negotiate a mutually
satisfactory accord. The parties' request is reasonable, and the Commission will grant
time for settlement negotiations.

8 In the event the parties reach an agreement, they should notify the Commission as to
whether they seek to waive entry of an Initial Order in favor of having the
Commissioners enter a Final Order as permitted by WAC 480-07-820(1)(b)(iv). The
parties should also express their preferences on entry of an order with or without a
settlement hearing.

9 **THE COMMISSION GIVES NOTICE That it will conduct a second prehearing
conference on the complaint at 9:30 a.m., on Tuesday, August 2, 2011, in the
Commission's Hearing Room, Second Floor, Richard Hemstad Building, 1300 S.
Evergreen Park Drive S.W., Olympia, Washington.**

10 **ALTERNATE DISPUTE RESOLUTION.** The Commission supports the informal
resolution of matters before it. As discussed at the prehearing conference, 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.

Commission has limited resources but may be able to provide dispute resolution services in this case, if requested. If parties wish to explore the Commission's mediation services, they should contact Gregory J. Kopta, Director, Administrative Law Division, at 360-664-1355.

11 **DOCUMENT PREPARATION AND FILING REQUIREMENTS.** Parties must file the original plus 7 copies of all pleadings, motions, briefs, and other prefiled materials. These materials must conform to the format and publication guidelines in 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.

12 All filings must be mailed or 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. Both the post office box and street address are required to expedite deliveries by the U.S. Postal Service.

13 A copy of all filings must be provided through the Commission's Web Portal (www.utc.wa.gov/e-filing) or by e-mail delivery to <records@utc.wa.gov>. Alternatively, parties may furnish an electronic copy by delivering with each filing a 3.5-inch IBM-formatted high-density diskette or CD including the filed document(s). Parties must furnish electronic copies in MS Word 6.0 (or later) supplemented by a separate file in .pdf (Adobe Acrobat) format. Parties must follow WAC 480-07-140(5) in organizing and identifying electronic files.

14 **ELECTRONIC SUBMISSION OF DOCUMENTS.** Parties may submit documents electronically to the Commission on the filing deadline to expedite the filing process, but must file an original, plus 7 paper copies, of the documents with the Commission by 12:00 noon on the first business day following the filing deadline established in the procedural schedule. WAC 480-07-145(6). Parties may submit documents electronically through the Commission's Web Portal (www.utc.wa.gov/e-filing) or by e-mail to records@utc.wa.gov. Finally, to perfect filing, parties must simultaneously provide e-mail courtesy copies of filings to the presiding administrative law judge and advisory staff as well as to the parties to the proceeding.

15 Electronic versions of all documents must be filed in accordance with WAC 480-07-140(6). Specifically, all documents must be filed in .pdf (Adobe Acrobat) format, supplemented by a separate file in either .doc (MS Word), .wpd (WordPerfect), .xls (Excel), or .ppt (Power Point) format, as appropriate to the individual document.

16 **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 the order in the upper right-hand corner. Absent such objection, this Order will control further proceedings in this matter, subject to Commission review.**

DATED at Olympia, Washington, and effective May 18, 2011.

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

ADAM E. TOREM
Administrative Law Judge