

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND	)	DOCKET UW-132013
TRANSPORTATION COMMISSION,	)	
	)	
Complainant,	)	ORDER 01
	)	
v.	)	
	)	PREHEARING CONFERENCE
CRISTALINA LLC,	)	ORDER; NOTICE OF HEARING
	)	(Set for August 20, 2014,
Respondent.	)	at 9:30 a.m.)
	)	
.....	)	

1 **NATURE OF PROCEEDING.** This proceeding arises out of a complaint filed by Commission Staff on May 21, 2014, against Cristalina LLC (Cristalina). The complaint alleges that Cristalina committed 146 violations of Commission Order No. 01 in docket UW-090516.

2 **CONFERENCE.** The Washington Utilities and Transportation Commission (Commission) convened a prehearing conference in this docket at Olympia, Washington on July 1, 2014, before Administrative Law Judge Gregory J. Kopta.

3 **APPEARANCES.** Brett P. Shearer, Assistant Attorney General, Olympia, Washington, represents the Commission’s regulatory staff (Commission Staff or Staff).<sup>1</sup> Richard A. Finnigan, Olympia, Washington represents Cristalina. Contact information provided at the conference for the parties’ representatives is attached as Appendix A to this order.

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<sup>1</sup> 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.

4 **PETITIONS FOR INTERVENTION.** No party appeared at the conference seeking to intervene.

5 **DISCOVERY.** It does not appear that discovery will be required in this proceeding. If parties see a need for discovery, any party may move that the Commission invoke the Commission's discovery rules, WAC 480-07-400 – 425.

6 **PROCEDURAL SCHEDULE.** The parties agreed on a procedural schedule during the conference. The Commission adopts this procedural schedule, which is attached to this Order as Appendix B.

7 **NOTICE OF HEARING.** The Commission will hold an evidentiary hearing in this matter commencing on **Wednesday, August 20, 2014, at 9:30 a.m.**, in the Commission's Headquarters, Room 206, Second Floor, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.

8 **DOCUMENT PREPARATION AND FILING REQUIREMENTS.** Parties must file an original plus two (2) 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.

9 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.

10 An electronic copy of all filings must be provided through the Commission's Web Portal ([www.utc.wa.gov/e-filing](http://www.utc.wa.gov/e-filing)) or by e-mail delivery to [<records@utc.wa.gov>](mailto: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.

- 11 **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 two (2) 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/efiling](http://www.utc.wa.gov/efiling)) or by e-mail to [records@utc.wa.gov](mailto: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 identified on Appendix A to this Order as well as to the parties to the proceeding.
- 12 **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 360-664-1355.
- 13 **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 July 2, 2014.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

GREGORY J. KOPTA  
Administrative Law Judge

**APPENDIX A**

**PARTIES' REPRESENTATIVES  
DOCKET UW-132013**

<b>PARTY</b>	<b>REPRESENTATIVE</b>	<b>PHONE</b>	<b>FACSIMILE</b>	<b>E-MAIL</b>
Cristalina	PO Box 4055 Bellingham, WA 98227	360-296-7318		
	Richard A. Finnigan 2112 Black Lake Blvd. SW Olympia, WA 98512	360-956-7001	360-753-6862	<a href="mailto:rickfinn@localaccess.com">rickfinn@localaccess.com</a>
Commission Staff	Brett P. Shearer Assistant Attorney General 1400 S. Evergreen Park Drive S.W. Olympia, WA 98504-0128	360-664-1187	360-586-5522	<a href="mailto:bshearer@utc.wa.gov">bshearer@utc.wa.gov</a>

**APPENDIX B**  
**PROCEDURAL SCHEDULE**  
**DOCKET UW-132013**

<b>EVENT</b>	<b>DATE</b>
Settlement Conference (parties only)	July 10, 2014, and July 24, 2014
Exhibits and Lists of Witnesses & Exhibits Filing Deadline	August 6, 2014
Evidentiary Hearing	August 20, 2014