

BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND)
TRANSPORTATION COMMISSION,)
Complainant,)

vs.

CASCADE NATURAL GAS)
CORPORATION,)
Respondent.)

) Docket No. UG-152286
) Volume I

Pre-hearing Conference held before
GREGORY J. KOPTA, Administrative Law Judge

Pages 1-14

9:30 a.m. - 9:44 a.m.

January 26, 2016

1300 S. Evergreen Park Drive SW

Room 206

Olympia, Washington

Mary M. Paradise, CSR 2469

A P P E A R A N C E S

GREGORY J. KOPTA, Administrative Law Judge

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TRANSPORTATION COMMISSION:

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(Present via bridge line.)

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2 (Present via bridge line.)

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1 OLYMPIA, WASHINGTON; January 26, 2016

2 9:30 a.m.

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5 JUDGE KOPTA: Let's be on the record in
6 docket UG-152286, captioned Washington Utilities
7 and Transportation Commission versus Cascade
8 Natural Gas Corporation. I'm Gregory J. Kopta, the
9 administrative law judge who will be presiding with
10 the commissioners in this docket.

11 We are here today for a pre-hearing
12 conference to settle matters of a procedural
13 nature. And let's begin by taking appearances,
14 starting with the company.

15 MS. RACKNER: Lisa Rackner with the law
16 firm of McDowell Rackner & Gibson for Cascade
17 Natural Gas. Would you like my address and
18 contact?

19 JUDGE KOPTA: We don't need the whole
20 thing at this point. I think it's already in the
21 pleadings, but I'll make sure that you have that.

22 JUDGE KOPTA: For Commission staff?

23 MR. SHEARER: Bret Shearer, assistant
24 attorney general on behalf of Commission staff.

25 JUDGE KOPTA: Public counsel?

1 MS. GAFKEN: Lisa Gafken, assistant
2 attorney general here on behalf of public counsel.

3 JUDGE KOPTA: And Mr. Stokes?

4 MR. STOKES: Good morning, Chad Stokes for
5 the Northwest Industrial Gas Users.

6 JUDGE KOPTA: And Mr. Purdy?

7 MR. PURDY: Brad Purdy on behalf of The
8 Energy Project.

9 JUDGE KOPTA: Thank you. Anyone else
10 wishing to make an appearance? Hearing none, that
11 seems to be the cast of characters.

12 The first issue on my list is
13 interventions. The Commission has received
14 petitions to intervene from the Northwest
15 Industrial Gas Users and The Energy Project. Are
16 there any objections to allowing those parties to
17 intervene?

18 MS. RACKNER: None.

19 MR. SHEARER: None from staff.

20 MS. GAFKEN: None from public counsel.

21 JUDGE KOPTA: All right. Then we will
22 grant those petitions to intervene, and those
23 parties will be parties to this proceeding.

24 We've already taken care of discovery and
25 a protective order. So a couple of other issues.

1 One is the Commission in the process of converting
2 to electronic document service. We aren't quite
3 there yet, but in anticipation that we will be
4 during the course of this proceeding, we'd like to
5 get the consent of all the parties to serve
6 notices, orders, anything else that the Commission
7 sends out electronically without a paper copy. Do
8 all the parties consent to that?

9 MS. RACKNER: Yes, Cascade consents.

10 MS. GAFKEN: Public counsel consents to
11 electronic transmission from the Commission.

12 MS. RACKNER: As does staff.

13 JUDGE KOPTA: And Mr. Purdy and
14 Mr. Stokes?

15 (Conflicting telephonic responses.)

16 JUDGE KOPTA: Mr. Purdy first.

17 MR. PURDY: I'm sorry. Judge, I didn't
18 hear that.

19 JUDGE KOPTA: Yes, you talked over each
20 other, so the court reporter couldn't get it. So
21 if you would repeat what you said, Mr. Purdy

22 MR. PURDY: I think I said, yes, that
23 sounds great. It's wonderful.

24 JUDGE KOPTA: Okay. And Mr. Stokes?

25 MR. STOKES: That's fine for the Gas Users

1 as well.

2 JUDGE KOPTA: Great. Thank you. Another
3 thing that we are starting to do is because of the
4 volume of testimony and exhibits, we would like to
5 have exhibit lists that accompany filings that are
6 made with testimony. And I realize the company, as
7 part of their initial filing, has already made that
8 filing, but we would like to have you provide us
9 with an exhibit list so that we make sure that we
10 know what all your exhibits are and what they're
11 named and -- rather than having us do it.

12 So as we go through this proceeding, when
13 you make filings of testimony, we'd like to have
14 that accompanied by an exhibit list. And there
15 will be a final exhibit list as part of your cross-
16 examination exhibit filing right before the
17 hearing, but this is just so we can keep track, as
18 things progress, and you're not scrambling at the
19 last minute to make sure that we have a list of all
20 the exhibits.

21 MS. RACKNER: Would the Commission --

22 MR. PURDY: This is Brad Purdy. So for
23 the filing of testimony, are you envisioning
24 something that would amount to a table of contents
25 with a description of each exhibit, or something

1 more like we file, as you just mentioned, later in
2 the case?

3 JUDGE KOPTA: What I envision is something
4 more along the lines of what we prepare at the end
5 of the case. That makes it easier for me. If you
6 put it in the form of an exhibit list, then I can
7 cut and paste, as opposed to having to re-create.
8 So this is all about making life easier for me, of
9 course.

10 MR. PURDY: Thank you.

11 MS. RACKNER: Would it be helpful if the
12 company prepared an exhibit list for the initial
13 filing and got that in as soon as possible to the
14 Commission?

15 JUDGE KOPTA: That was going to be my
16 next request. Thank you, Ms. Rackner, that would
17 be perfect.

18 So then as far as I know, that brings us
19 to a schedule. And I have received from
20 Mr. Shearer a proposed schedule, and I'm assuming
21 that this is a proposed schedule on behalf of all
22 of the parties, is that correct?

23 MS. GAFKEN: That's correct.

24 JUDGE KOPTA: And it all looks fine to me,
25 with one caveat, which is that the hearing date

1 that you have proposed of July 26th is not
2 convenient for the commissioners' schedules. So I
3 believe the following week will work for the
4 commissioners, and if that works for the parties,
5 then we will schedule the hearings for -- to begin
6 on August 2nd.

7 MR. SHEARER: That's good with staff, your
8 Honor.

9 MS. GAFKEN: The date also works for
10 public counsel.

11 MS. RACKNER: The date works for Cascade.
12 And so my only question is whether there's any need
13 to reconsider the date for the post-hearing briefs.

14 JUDGE KOPTA: Well, that was kind of a
15 cascade, if you'll excuse the expression, effect of
16 changing that date, is that it will have impacts
17 both on the post-hearing briefs, and obviously, on
18 the deadline for filing cross-examination exhibits.

19 I didn't know whether they would have any
20 impacts on any of the other dates, whether you
21 wanted to move any of them back or keep them where
22 they are.

23 MS. GAFKEN: I'll just chime in. I think
24 the testimony dates can probably stay where they
25 are. Excuse me. But moving the brief date back a

1 bit to accommodate the later hearing, and then we
2 could probably move up the cross-examination
3 exhibits as well, to get them, you know, about a
4 week before.

5 JUDGE KOPTA: Okay. That's easy enough to
6 do, and I can take care of that.

7 I notice on here that there is a line item
8 for a company filed issues list, which will be
9 helpful, I think, but -- so the anticipation is
10 that the company will file an issues list on March
11 9th, and then there will be a joint issues list
12 from all of the parties in May. Is that the
13 parties' anticipation?

14 MS. RACKNER: Yes.

15 MS. GAFKEN: Yes.

16 MR. SHEARER: Yes, your Honor.

17 JUDGE KOPTA: All right. I think that
18 works for me.

19 MS. GAFKEN: I'm sorry.

20 JUDGE KOPTA: Yes.

21 MS. GAFKEN: I had one other comment about
22 the public comment hearing.

23 JUDGE KOPTA: Yes.

24 MS. GAFKEN: Just to provide a little bit
25 of information there. So I have spoken with staff

1 and Cascade as well about these ideas, and they
2 seem amenable as well. We're looking at going two
3 public comment hearings because of the disparate
4 nature of the -- the service territory. It's very
5 spread out. So we're looking at one in the
6 Kennewick area and then another one in the Mount
7 Vernon area.

8 And then I would propose the week of June
9 13th, so that would be after all of the testimony
10 is in, but before the hearing. Obviously, that's
11 based on commissioner availability. So, you know,
12 I understand the actual dates will be set by later
13 notice.

14 JUDGE KOPTA: All right. I will consult
15 with the commissioners and see what their
16 preference is, but I've noted what your proposal
17 entails, and we'll see what we can do.

18 MS. GAFKEN: Okay. And the part of the
19 proposal, also, was based on staff provided some
20 great information about customer accounts in each
21 of the areas, and so that those two locations seem
22 to cover at least most customers, and then also
23 provide an opportunity for other outlying areas to
24 -- to travel to those locations.

25 JUDGE KOPTA: Okay. Well, you've done

1 your homework. Thank you.

2 MS. GAFKEN: Thank you.

3 JUDGE KOPTA: Anything else that we need
4 to take up at this point? Hearing nothing, I will
5 be issuing a pre-hearing conference order that
6 reflects what we've talked about today, and we will
7 proceed accordingly. Thank you. We're adjourned.

8 MS. RACKNER: Thank you, your Honor.

9 MS. GAFKEN: Your Honor, I'm sorry. There
10 was one other thing on my list that I --

11 JUDGE KOPTA: On the record or off the
12 record?

13 MS. GAFKEN: I just had a question about
14 the informal electronic service list and
15 individuals that we wanted on that. Are we still
16 doing that?

17 JUDGE KOPTA: Yes, we are. And if you
18 have anybody that you want to add to the list, then
19 please let me know, preferably, as soon as
20 possible. We usually like to try to get these
21 pre-hearing conference orders out expeditiously.

22 So if you have some names that you would
23 like to make sure that we include on the master
24 service list for electronic service, then --

25 MS. GAFKEN: Sure. I can send you e-mail

1 addresses. It's the usual suspects; my analysts
2 and legal assistants.

3 JUDGE KOPTA: Right. Right. That goes
4 for everybody. So if you can just send us those
5 names and e-mail addresses, we'll make sure that
6 they're on the master service list and so everybody
7 has them.

8 MS. GAFKEN: Thank you.

9 MS. RACKNER: Okay. We'll probably be
10 adding somebody, too.

11 JUDGE KOPTA: All right. Thank you.

12 MR. PURDY: Thank you, Judge.

13 (The pre-hearing conference adjourned at
14 9:44 a.m.)
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C E R T I F I C A T E

STATE OF WASHINGTON
COUNTY OF KING

I, Mary M. Paradise, a Certified Shorthand Reporter in and for the State of Washington, do hereby certify that the foregoing transcript of the pre-hearing conference is true and accurate to the best of my knowledge, skill and ability.

IN WITNESS WHEREOF, I have hereunto set my hand this 1st day of February, 2016.

MARY M. PARADISE, CSR