

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

In the Matter of the Request of)	DOCKET NO. UG-051687
)	
NORTHWEST NATURAL GAS)	ORDER NO. 1
COMPANY,)	
)	
Petitioner,)	
)	ORDER GRANTING LESS THAN
For Less Than Statutory Notice in)	STATUTORY NOTICE
Connection with Tariff Revisions)	
.....		

BACKGROUND

- 1 On November 7, 2005, Northwest Natural Gas Company, (NW Natural or the Company) filed with the Commission revisions to its currently effective Tariff WN U-6, designated as Fourth Revision of Sheet T.2. The purpose of the filing is to revise the customer deadline to submit a withdrawal of election form to the Company from November 8, 2005, to November 10, 2005, in order return to transportation service on either November 15 or December 1, 2005.

- 2 RCW 80.28.060 and WAC 480-80-121 require a thirty-day notice prior to the effective date of the tariff. The tariff sheets bear an inserted effective date of December 8, 2005. This date recognizes statutory notice as required. The Company requests, however, less than statutory notice as permitted in WAC 480-80-122, and that the revisions become effective November 8, 2005. NW Natural stated the reason for less than statutory notice is to provide customers additional time to make a decision on whether or not to return to transportation service.

- 3 WAC 480-90-194 requires notification to customers or publication of the change sought in this filing. Granting the Company's less than statutory notice request also requires an exemption from WAC 480-90-194. For the same reason(s) listed for seeking less than statutory notice, the Company seeks such an exemption

from notice requirements. The Company proposes to notify customers individually by telephone.

- 4 Since the proposed tariff revisions appear to be fair, just, and reasonable, and less than statutory notice is consistent with the public interest, it is appropriate that the Commission grant NW Natural's request with an effective date of November 8, 2005.

FINDINGS AND CONCLUSIONS

- 5 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington vested by statute with the authority to regulate rates, regulations, practices, accounts, securities, and transfers of public service companies, including gas companies. *RCW 80.01.040; Chapter 80.04 RCW and Chapter 80.28 RCW.*
- 6 (2) NW Natural is a gas company and is a public service company subject to the jurisdiction of the Commission.
- 7 (3) NW Natural is subject to the provisions of RCW 80.28.060 and WAC 480-80-121 requiring gas companies to file changes in any rate or charge with thirty days' notice. For good cause shown, however, the Commission may allow changes without requiring thirty days' notice by order specifying the changes to be made and the time when it shall take effect. *WAC 480-80-122.*
- 8 (4) WAC 480-90-008 provides that the Commission may grant an exemption from the provisions of any rule in Chapter 480-90 WAC, if consistent with the public interest, the purposes underlying regulation and applicable statutes.

- 9 (5) Staff has reviewed the request in Docket UG-051687 and recommended the less than statutory notice request of NW Natural be granted. Staff further recommended the Commission grant an exemption to WAC 480-90-194 and require the Company to notify customers by phone.
- 10 (6) This matter was brought before the Commission at its specially scheduled meeting on November 7, 2005.
- 11 (7) After examination of the proposed tariff revisions filed by NW Natural on November 7, 2005, and giving consideration to all relevant matters and for good cause shown, the Commission finds the proposed tariff revisions should become effective November 8, 2005.
- 12 (8) The Commission also finds the Company should be granted an exemption to the customer notice requirements.

ORDER

THE COMMISSION ORDERS:

- 13 (1) The request sought by Northwest Natural Gas Company for less than statutory notice is granted.
- 14 (2) After the effective date of this Order, Northwest Natural Gas Company is granted an exemption from WAC 480-90-194, Publication of proposed changes to increase charges or restrict access in service. Northwest Natural Gas Company shall notify customers by phone.

DATED at Olympia, Washington, and effective this 7th day of November, 2005.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARK H. SIDRAN, Chairman

PATRICK J. OSHIE, Commissioner