

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND  
TRANSPORTATION COMMISSION,

Complainant,

v.

NORTHWEST NATURAL GAS  
COMPANY, d/b/a NW NATURAL,

Respondent.

DOCKET UG-200994

ORDER 03

PREHEARING CONFERENCE  
ORDER; NOTICE OF HEARING  
**(Evidentiary Hearing set for August  
23-24, 2021, at 9:00 a.m.)**

- 1 **NATURE OF PROCEEDING.** On December 18, 2020, Northwest Natural Gas Company, d/b/a NW Natural, (NW Natural or Company) filed with the Washington Utilities and Transportation Commission (Commission) revisions to its currently effective Tariff WN U-6, Natural Gas Service. The purpose of the Company’s filing is to increase rates and charges for natural gas service provided to customers in the state of Washington. NW Natural proposes a multi-year rate plan. Specifically, for Year One, the Company requests authority to increase revenues from base rates by \$6.3 million, which would result in an approximately 8.0 percent increase to overall base rates. For Year Two, the Company requests authority to increase revenues from base rates by \$3.2 million, which would result in an approximately 3.7 percent increase to overall base rates. NW Natural agreed to the suspension of the tariff revisions.<sup>1</sup> Accordingly, the Commission suspended operation of the tariffs on January 7, 2021, by Order 01 entered in this docket.
- 2 **CONFERENCE.** The Commission convened a prehearing conference virtually on January 19, 2021, before Administrative Law Judges Rayne Pearson and Samantha Doyle.

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<sup>1</sup> NW Natural also proposes suspending the amortization of a regulatory asset associated with its energy efficiency programs during Year One, and to apply proceeds received from the Company’s sale of a property in Portland, Oregon, known as “Block 24” as a credit to customers in Year One. The net impact of the proposed increase to base rates and proposed offsetting measures is an overall increase to rates of \$3.9 million, or 5.0 percent, in Year One.

3 **APPEARANCES.** Lisa Rackner and Jocelyn Pease, McDowell Rackner Gibson PC, Portland, Oregon, represent NW Natural. Nash Callaghan, Assistant Attorney General, Lacey, Washington, represents Commission staff (Staff).<sup>2</sup> Lisa W. Gafken, Ann Paisner, and Nina Suetake, Assistant Attorneys General, Seattle, Washington, represent the Public Counsel Unit of the Attorney General’s Office (Public Counsel). Chad M. Stokes and Tommy Brooks, Cable Huston LLP, Portland, Oregon, represent the Alliance of Western Energy Consumers (AWEC). Simon J. ffitich, Bainbridge Island, Washington, represents The Energy Project. Contact information for the representatives of those granted party status is attached as Appendix A to this Order.

4 **PETITIONS FOR INTERVENTION.** AWEC and The Energy Project timely filed petitions to intervene. No party objected to either petition.

5 Absent objections to the petitions to intervene, the Commission finds that these petitioners have established a substantial interest in this proceeding and that their participation will be in the public interest. Accordingly, the Commission grants the petitions.

6 **PROTECTIVE ORDER.** The Commission entered a protective order as Order 02 in this docket on January 7, 2021.

7 **DISCOVERY.** Order 01 provides that discovery will be conducted under the Commission’s discovery rules, WAC 480-07-400 – 425. The Commission urges the parties to work cooperatively together to avoid having to bring discovery matters forward for formal resolution. Response times to data requests will be adjusted as set forth in Appendix B.

8 The Commission believes it will aid discovery in this case if all responses to data requests are shared with all parties. No party objects to the Commission making the exchange of data request responses with all parties a requirement for discovery in this case. Accordingly, the Commission requires the parties to share every data request

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<sup>2</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.

response with all parties, subject to any confidentiality limitations contained in Commission rule or the protective order issued in this docket.

9 At the prehearing conference, Staff proposed further requirements for parties issuing data requests. Specifically, Staff proposed requiring that the requesting party (1) include a list in the body of the email that serves each set of data requests that identifies each data request by number and the subject or issue of each data request being issued, and (2) group the data requests by subject or issue in the cover letter serving the data request. No party objected to these proposed requirements. The Commission therefore adopts Staff's recommendations on this issue for the purposes of this case.

10 **PROCEDURAL SCHEDULE.** The parties presented an agreed procedural schedule at the prehearing conference. Under WAC 480-07-460(1)(b), a deadline for filing errata sheets to exhibits may be established in the prehearing conference order. In the prehearing conference, no party objected to setting the errata filing deadline for one week prior to the evidentiary hearing. Incorporating the deadlines for errata filings and notice of the public comment hearing,<sup>3</sup> the Commission adopts the parties' proposed procedural schedule, which is attached to this Order as Appendix B.

11 **DOCUMENT FILING AND SERVICE REQUIREMENTS.** Parties must file and serve all pleadings, motions, briefs, and other pre-filed materials in compliance with all of the following requirements:

- (a) Parties must submit electronic copies of all documents by 5 p.m. on the filing deadline established in the procedural schedule (or other deadline as applicable) unless the Commission orders otherwise. Parties must comply with WAC 480-07-140(6) in formatting, organizing, and identifying electronic files. Documents that include information designated as confidential must comply with the requirements in WAC 480-07-160 and the Protective Order in these dockets. Parties must submit documents electronically through the Commission's web portal ([www.utc.wa.gov/e-filing](http://www.utc.wa.gov/e-filing)). If a party is unable to use the web portal to submit documents for filing, the Commission will accept a submission via email to [records@utc.wa.gov](mailto:records@utc.wa.gov) provided the email: (1)

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<sup>3</sup> WAC 480-90-197 provides that the amount of notice to the public or to customers of public comment hearings will be addressed in the prehearing conference order.

explains the reason the documents are not being submitted via the web portal, and (2) complies with the requirements in WAC 480-07-140(5)(b).

- (b) The Commission accepts only electronic versions of documents for formal filing. Parties must submit documents electronically through the Commission's web portal ([www.utc.wa.gov/e-filing](http://www.utc.wa.gov/e-filing)). If a party is unable to use the web portal to submit documents for filing, the Commission will accept a submission via email to [records@utc.wa.gov](mailto:records@utc.wa.gov), provided that the email: (1) explains the reason the documents are not being submitted via the web portal, and (2) complies with the requirements in WAC 480-07-140(5)(b).
- (c) In light of the COVID-19 pandemic, the Commission is suspending requirements for paper filings in this case.
- (d) If any of the exhibits contain information designated as confidential, parties must file an electronic copy of the redacted version in searchable PDF (Adobe Acrobat or comparable software) of each such exhibit.
- (e) Parties must electronically serve the other parties and provide courtesy electronic copies of filings to the presiding administrative law judges ([rayne.pearson@utc.wa.gov](mailto:rayne.pearson@utc.wa.gov) and [samantha.doyle@utc.wa.gov](mailto:samantha.doyle@utc.wa.gov)) by 5 p.m. on the filing deadline unless the Commission orders otherwise. If parties are unable to email copies, they may furnish electronic copies by delivering them on a flash drive only.

12 **EXHIBITS FOR CROSS-EXAMINATION.** Parties are required to file with the Commission and serve all proposed cross-examination exhibits by **5 p.m. on August 16, 2021**. The Commission requires electronic copies (in searchable Adobe Acrobat (.pdf)). If any of the exhibits contain information that is designated as confidential or highly confidential, the party must also file one electronic copy (in Adobe Acrobat (.pdf)) of the redacted version of each such exhibit. The exhibits must be grouped according to the witness the party intends to cross examine with the exhibits.

13 **EXHIBIT LISTS.** With each submission of pre-filed testimony and exhibits, the party making the submission must include a preliminary exhibit list that identifies each submitted exhibit in the format the Commission uses for exhibit lists it prepares for evidentiary hearings. The Company will prepare and file its preliminary exhibit list for its initial filing in this docket. Each party must file and serve a final list of all exhibits the

party intends to introduce into the evidentiary record, including all pre-filed testimony and exhibits, as well as cross-examination exhibits by **5 p.m., August 16, 2021.**

- 14 **CROSS-EXAMINATION TIME ESTIMATES.** Each party must provide a list of witnesses the party intends to cross-examine at the evidentiary hearing and an estimate of the time that party anticipates the cross-examination of that witness will take. Parties should not file witness lists or cross-examination time estimates but must provide them to the administrative law judges ([rayne.pearson@utc.wa.gov](mailto:rayne.pearson@utc.wa.gov) and [samantha.doyle@utc.wa.gov](mailto:samantha.doyle@utc.wa.gov)) and the other parties by **5 p.m., August 16, 2021.**
- 15 **PUBLIC COMMENT HEARING.** The Commission will hold a public comment hearing in this docket in Clark County, or virtually, prior to the hearing on the final disposition of this case. NW Natural customers will receive notice of the date, time, and address of the public comment hearing, as well as other information required under WAC 480-90-197, at least 30 days prior to the date of the public comment hearing.
- 16 **NOTICE OF EVIDENTIARY HEARING.** The Commission will hold an evidentiary hearing in this docket on **August 23-24, 2019, at 9 a.m.,** in the Commission's Hearing Room, First Floor, 621 Woodland Square Loop S.E., Lacey, Washington, or virtually, depending on the public health restrictions in effect at that time. In the event the hearing must be held virtually, the Commission will provide notice at least 20 days prior to the hearing date with meeting information for Microsoft Teams.
- 17 **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 has limited ability to provide dispute resolution services. If you wish to explore those services, please contact Rayne Pearson, Director, Administrative Law Division (360-664-1136).
- 18 **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 this Order, in the upper right-hand corner. Absent such objection,**

**this Order will control further proceedings in this docket, subject to Commission review.**

Dated at Lacey, Washington, and effective January 26, 2021.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

*/s/ Samantha Doyle*  
SAMANTHA DOYLE  
Administrative Law Judge

**APPENDIX A  
PARTIES' REPRESENTATIVES  
DOCKET UG-200994**

<b>PARTY</b>	<b>REPRESENTATIVE</b>	<b>PHONE</b>	<b>E-MAIL</b>
Northwest Natural Gas	Jocelyn Pease McDowell Rackner & Gibson PC 419 SW 11th Avenue STE 400 Portland, OR 97205	(503) 290-3620	<a href="mailto:jocelyn@mrg-law.com">jocelyn@mrg-law.com</a>
	Lisa Rackner McDowell Rackner & Gibson PC 419 SW 11th Avenue STE 400 Portland, OR 97205	(503) 595-3925	<a href="mailto:lisa@mrg-law.com">lisa@mrg-law.com</a>
	Eric Nelsen Ryan Sigurdson Northwest Natural Gas Company 220 NW 2nd Ave. Portland, OR 97209-3991	(503) 610-7618 (503) 610-7570	<a href="mailto:eric.nelsen@nwnatural.com">eric.nelsen@nwnatural.com</a> <a href="mailto:ryan.sigurdson@nwnatural.com">ryan.sigurdson@nwnatural.com</a>
Commission Staff	Nash Callaghan Assistant Attorney General Office of the Attorney General Utilities and Transportation Division P.O. Box 40128 Olympia, WA 98504	(360) 664-1186	<a href="mailto:nash.callaghan@utc.wa.gov">nash.callaghan@utc.wa.gov</a>
	Kristen Hillstead		<a href="mailto:kristen.hillstead@utc.wa.gov">kristen.hillstead@utc.wa.gov</a>
	Chris McGuire		<a href="mailto:chris.mcguire@utc.wa.gov">chris.mcguire@utc.wa.gov</a>
	Margrete Jordahl		<a href="mailto:margrete.jordahl@utc.wa.gov">margrete.jordahl@utc.wa.gov</a>
	Betsy DeMarco		<a href="mailto:bdemarco@utc.wa.gov">bdemarco@utc.wa.gov</a>
Public Counsel	Lisa Gafken Assistant Attorney General Washington Attorney General's Office Public Counsel Unit 800 Fifth Avenue, Suite 2000 Seattle, WA 98104-3188	(206) 464-6595	<a href="mailto:Lisa.Gafken@atg.wa.gov">Lisa.Gafken@atg.wa.gov</a>
	Nina Suetake	(206) 389-2055	<a href="mailto:NinaS@atg.wa.gov">NinaS@atg.wa.gov</a>
	Sarah Laycock		<a href="mailto:sarahl2@atg.wa.gov">sarahl2@atg.wa.gov</a>
	Luther Caulkins	(206) 464-6215	<a href="mailto:lutherc@atg.wa.gov">lutherc@atg.wa.gov</a>
	Chanda Mak	(206) 389-3972	<a href="mailto:chandam@atg.wa.gov">chandam@atg.wa.gov</a>

PARTY	REPRESENTATIVE	PHONE	E-MAIL
Alliance of Western Energy Consumers	Tommy Brooks Cable Huston LLP 1001 SW Fifth Avenue, Suite 2000 Portland, OR 97204-1136	(503) 224-3092	<a href="mailto:tbrooks@cablehuston.com">tbrooks@cablehuston.com</a>
	Chad M. Stokes Cable Huston LLP 1001 SW Fifth Avenue, Suite 2000 Portland, OR 97204-1136	(503) 224-3092	<a href="mailto:cstokes@cablehuston.com">cstokes@cablehuston.com</a>
	Brad Mullins		<a href="mailto:brmullins@mwanalytics.com">brmullins@mwanalytics.com</a>
The Energy Project	Simon J. ffitch Attorney at Law 321 High School Rd. NE, Suite D3, Box No. 383 Bainbridge Island, WA 98110	(206) 669-8197	<a href="mailto:simon@ffitchlaw.com">simon@ffitchlaw.com</a>
	Shawn Collins		<a href="mailto:shawnc@oppco.org">shawnc@oppco.org</a>
	Carol Baker		<a href="mailto:carol@ffitchlaw.com">carol@ffitchlaw.com</a>



**APPENDIX B  
PROCEDURAL SCHEDULE  
DOCKET UG-200994**

EVENT	DATE
Initial Filing	<b>Friday, December 18, 2020</b>
Prehearing Conference	<b>Tuesday, January 19, 2021</b>
Initial Settlement Conference	<b>Tuesday, April 13, 2021</b>
Staff, Public Counsel and Intervenor Response Testimony and Exhibits <sup>1</sup>	<b>Friday, May 21, 2021</b>
NW Natural Circulates Joint Issues Matrix	<b>Wednesday, June 9, 2021</b>
Settlement Conference	<b>Wednesday, June 23, 2021</b>
Company Rebuttal Testimony and Exhibits; Staff, Public Counsel and Intervenor Cross-Answering Testimony and Exhibits <sup>2</sup>	<b>Friday, July 16, 2021</b>
Notice Issued for Public Comment Hearing	<b>30 days prior to Public Comment Hearing</b>
Public Comment Hearing	<b>TBD (Exact date and location to be determined)</b>
Discovery Deadline – Last Day to Issue Data Requests <sup>3</sup>	<b>Thursday, August 5, 2021</b>
NW Natural Files Joint Issues Matrix	<b>Friday, August 13, 2021</b>
Exhibit List, Cross-Examination Exhibits, Witness Lists, Time Estimates, and Exhibit Errata	<b>Monday, August 16, 2021</b>
Evidentiary Hearing	<b>Monday and Tuesday, August 23 and 24, 2021</b>
Initial Post-Hearing Briefs and Updated Joint Issues Matrix	<b>Friday, September 24, 2021</b>
Simultaneous Reply Briefs	<b>Friday, October 8, 2021</b>
Statutory Suspension Date	<b>November 18, 2021</b>

<sup>1</sup> Response time to data requests relating to this testimony will be 7 business days.

<sup>2</sup> Response time to data requests relating to this testimony will be 5 business days.

<sup>3</sup> Response time to data requests will be 5 business days.