

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND)	DOCKET UG-140381
TRANSPORTATION COMMISSION,)	
)	
Complainant,)	ORDER 01
)	
v.)	
)	PREHEARING CONFERENCE
CASCADE NATURAL GAS)	ORDER; NOTICE OF ORAL
CORPORATION,)	ARGUMENTS
)	(Set for May 15, 2015)
Respondent.)	
.....)	

1 **NATURE OF PROCEEDING.** On October 28, 2014, the regulatory staff (Commission Staff or Staff) of the Washington Utilities and Transportation Commission (Commission) filed a complaint against Cascade Natural Gas Corporation (Cascade or Company). The complaint alleges that Cascade 1) violated RCW 80.28.080 and WAC 480-90-178(1)(b), related to incorrect application of late payment charges; 2) failed to update tariff provisions to reflect the application of a late fee 30 days after a balance is past due, as agreed to in a Commission-approved multi-party settlement stipulation in Docket UG-060256; 3) violated RCW 80.28.080 and WAC 480-90-178(1)(b), related to incorrect late payment charges, and 4) collected fees related to disconnect visit when the visit resulted in a disconnection in violation of WAC 480-90-128(6)(k).

2 **CONFERENCE.** The Commission convened a prehearing conference in this docket at Olympia, Washington on January 21, 2015, before Administrative Law Judge Marguerite E. Friedlander, whom the Commission appoints as presiding officer in this proceeding.

3 **APPEARANCES.** Lisa Rackner, McDowell Rackner & Gibson, P.C., Portland, Oregon, represents Cascade. Simon ffitich, Senior Assistant Attorney General and Lisa Gafken, Assistant Attorney General, Seattle, Washington, represent the Public Counsel Section of the Washington Office of the Attorney General (Public Counsel).

Sally Brown, Senior Assistant Attorney General and Christopher Casey, Assistant Attorney General, Olympia, Washington, represent the Commission Staff.¹ Contact information for the parties' representatives is attached as Appendix A to this Order.

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

5 **CONSENT TO ELECTRONIC SERVICE.** All parties have consented to service electronically.

6 **PROTECTIVE ORDER.** The parties have not asked that the Commission enter a protective order at this time but may request one at a later date.

7 **DISCOVERY.** The parties asked that the discovery rules be invoked in this docket, under WAC 480-07-400. The matter is one that qualifies for discovery, and the discovery rules, WAC 480-07-400 – 425, are invoked.

8 **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.

9 **NOTICE OF ORAL ARGUMENTS.** The Commission will hold oral arguments in this matter on **May 15, 2015, at 9:30 a.m.**, in the Commission's Hearing Room, Second Floor, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington. The Commission may alter this schedule by subsequent notice.

10 **DOCUMENT PREPARATION AND FILING REQUIREMENTS.** Parties must file an original plus **three** 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

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.

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.

- 11 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.
- 12 An electronic 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 flash drive, 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.
- 13 **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 **three** 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) 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 identified on Appendix A to this Order as well as to the parties to the proceeding.
- 14 **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.

15 **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 January 22, 2015.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARGUERITE E. FRIEDLANDER
Administrative Law Judge

APPENDIX A			
PARTIES' REPRESENTATIVES			
DOCKET UG-140381			
PARTY	REPRESENTATIVE	PHONE	E-MAIL
Cascade Natural Gas Corporation	Lisa Rackner McDowell Rackner & Gibson P.C. 419 SW 11 th Avenue, Suite 400 Portland, OR 97205	(503) 595-3925	lisa@mcd-law.com
	Michael Parvinen Director of Regulatory Affairs Cascade Natural Gas Corporation 8113 West Grandridge Blvd. Kennewick, WA 99336-7166	(509) 734-4593	michael.parvinen@cngc.com
	Jocelyn Pease Legal Assistant	(503) 290-3620	jocelyn@mcd-law.com
Staff	Christopher Casey Assistant Attorney General Office of the Attorney General Utilities and Transportation Division 1400 S. Evergreen Park Drive SW P.O. Box 40128 Olympia, WA 98504-0128	(360) 664-1189	ccasey@utc.wa.gov
	Sally Brown Senior Assistant Attorney General	(360) 664-1193	sbrown@utc.wa.gov
	Krista Gross Legal Assistant	(360) 664-1194	kgross@utc.wa.gov
	Betsy DeMarco Legal Assistant	(360) 664-1191	bdemarco@utc.wa.gov
Public Counsel	Simon J. ffitch Senior Assistant Attorney General Public Counsel Section Office of Attorney General 800 Fifth Avenue, Suite 2000 Seattle, WA 98104-3188	(206) 389-2055	simonf@atg.wa.gov
	Lea Fisher Analyst		lead@atg.wa.gov
	Carol Baker Legal Assistant		carolw@atg.wa.gov
	Chanda Mak Legal Assistant		chandam@atg.wa.gov

APPENDIX B
PROCEDURAL SCHEDULE
DOCKET UG-140381

EVENT	DATE
Settlement Conferences (parties only)	February 20, 2015 March 12, 2015
Motions for Summary Determination Due	April 9, 2015
Responses to Motions for Summary Determination Due	April 29, 2015
Oral Arguments (if necessary)	May 15, 2015