

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

In the Matter of the Joint Application of	)	DOCKET UG-061721
	)	
MDU RESOURCES GROUP, INC.	)	ORDER 01
AND CASCADE NATURAL GAS	)	
CORPORATION	)	PREHEARING CONFERENCE
	)	ORDER
For an Order Authorizing Proposed	)	
Transaction	)	NOTICE OF HEARING
	)	<b>(Set for May 14, 2007)</b>
.....	)	

1 **NATURE OF PROCEEDING.** Docket UG-061721 involves a joint application of MDU Resources Group, Inc. (MDU) and Cascade Natural Gas Corporation (Cascade) for an order authorizing MDU Resources’ acquisition of all outstanding common stock of Cascade.

2 **CONFERENCE.** The Washington Utilities and Transportation Commission (Commission) convened a prehearing conference in this docket at Olympia, Washington on December 6, 2006, before Administrative Law Judge Dennis J. Moss.

3 **APPEARANCES.** James M. Van Nostrand and Laurence Reichman, Perkins Coie LLP, Portland, Oregon, represent MDU and Cascade. Melinda J. Davison, Matthew Perkins and Sarah Yasutake, Portland, Oregon, represent Weyerhaeuser, Boise Cascade and Longview Fibre. John A. Cameron, Davis Wright Tremaine LLP, Portland, Oregon, represents Cost Management Services, Inc. Edward A. Finklea, Chad M. Stokes and Lindsay R. Kandra, Cable Huston Benedict Haagenen & Lloyd LLP, Portland, Oregon, represent Northwest Industrial Gas Users (NWIGU). Judith Krebs, Assistant Attorney General, Seattle, Washington, represents the Public Counsel Section of the Washington Office of the Attorney General (Public Counsel). Gregory Trautman, Assistant Attorney General, Olympia, Washington, represents the Commission’s regulatory staff (Commission Staff or Staff).<sup>1</sup> Contact information

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<sup>1</sup> In formal proceedings, such as this case, the Commission’s regulatory staff functions as an independent party with the same rights, privileges, and responsibilities as any other party to the proceeding. There is an “*ex parte* wall” separating the Commissioners, the presiding Administrative Law Judge, and the Commissioners’ policy and accounting advisors from all parties, including Staff. *RCW 34.05.455*.

provided at the conference for the parties' representatives is attached as Appendix A to this order.

- 4 **PETITIONS FOR INTERVENTION.** Weyerhaeuser, Boise Cascade, Longview Fibre, NWIGU, and Cost Management Services, Inc., petitioned in writing and/or appeared at the prehearing conference seeking to intervene in the docket. No party objected to any of the petitions for intervention. The Commission finds each of the petitioners has established a substantial interest in this proceeding and that their participation will be in the public interest. These petitions to intervene are granted.
- 5 **PROTECTIVE ORDER.** The parties ask the Commission to enter a protective order to preserve the confidentiality of proprietary information with provisions for handling information and documents that parties may designate as "confidential" and "highly confidential" consistent with the Commission's procedural rules concerning protective orders. *RCW 34.05.446, RCW 80.04.095, WAC 480-07-420 and WAC 480-07-423.* The request was granted and a protective order will be entered in this docket.
- 6 **DISCOVERY.** The parties will conduct discovery in accordance with the Commission's discovery rules, WAC 480-07-400, *et seq.* Following the filing of rebuttal testimony on April 25, 2007, the response time for data requests will be reduced to five business days.
- 7 **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.
- 8 **NOTICE OF HEARING.** The Commission will hold an evidentiary hearing in this matter beginning **Monday, May 14, 2007<sup>2</sup>, at 9:30 a.m.** in the Commission's hearing Room, Second Floor, Chandler Plaza Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.
- 9 **DOCUMENT PREPARATION AND FILING REQUIREMENTS.** Parties must file an original plus 12 copies of all pleadings, motions, briefs, and other prefiled materials. These materials must conform to the format and publication guidelines in

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<sup>2</sup> Facilities are reserved for three days.

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.

- 10 All filings must be mailed or delivered to the Executive 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.
- 11 An electronic copy of all filings must be provided through the Commission's Web Portal ([www.wutc.wa.gov/e-filing](http://www.wutc.wa.gov/e-filing)) or by e-mail delivery to [records@wutc.wa.gov](mailto:records@wutc.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.
- 12 **ELECTRONIC SUBMISSION OF DOCUMENTS.** Pursuant to WAC 480-07-145(6), the presiding officer may grant parties a one-day extension of the paper-filing requirement, allowing electronic submission of documents with the Commission on the filing deadline. Parties may only submit documents electronically with the Commission in this proceeding with the permission of the presiding officer. If, at any time during this proceeding, parties are authorized to submit documents with the Commission electronically under WAC 480-07-145(6), Parties must submit the document through the Commission's Web Portal ([www.wutc.wa.gov/e-filing](http://www.wutc.wa.gov/e-filing)) or by e-mail to [records@wutc.wa.gov](mailto:records@wutc.wa.gov), and file an original, plus 12 copies, of the document with the Commission by the following business day. Finally, to perfect filing, parties must provide courtesy copies of filings to the presiding administrative law judge and advisory staff as well as the parties to the proceeding.
- 13 **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 360-664-1142.

*14* **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 December 14, 2006.

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

DENNIS J. MOSS  
Administrative Law Judge

**APPENDIX A**

**PARTIES' REPRESENTATIVES  
DOCKET UG-061721**

<b>PARTY</b>	<b>REPRESENTATIVE</b>	<b>PHONE</b>	<b>FACSIMILE</b>	<b>E-MAIL</b>
Cascade Natural Gas & MDU Resources Group	James M. Van Nostrand Laurence Reichman Perkins Coie LLP 1120 N.W. Couch Street 10 <sup>th</sup> Floor Portland, OR 97209-4128	(503) 727-2000	(503) 727-2222	<a href="mailto:jvannostrand@perkinscoie.com">jvannostrand@perkinscoie.com</a> <a href="mailto:lreichman@perkinscoie.com">lreichman@perkinscoie.com</a>
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Cost Management Services, Inc.	John A. Cameron Davis Wright Tremaine LLP 1300 SW Fifth Avenue Suite 2300 Portland, OR 97201	(503) 241-2300	(503) 778-5299	<a href="mailto:johncameron@dwt.com">johncameron@dwt.com</a>
Northwest Industrial Gas Users' (NWIGU)	Lindsay R. Kandra Edward A. Finklea Chad M. Stokes Cable Huston Benedict Haagensen & Lloyd LLP 1001 SW Fifth Avenue, Suite 2000 Portland, OR 97201-1136	(503) 224-3092	(503) 224-3176	<a href="mailto:lkandra@chbh.com">lkandra@chbh.com</a> <a href="mailto:efinklea@chbh.com">efinklea@chbh.com</a> <a href="mailto:cstokes@chbh.com">cstokes@chbh.com</a>
Public Counsel	Judith Krebs Public Counsel Section Office of the Attorney General 800 Fifth Avenue, Suite 2000 Seattle, WA 98104-3188	(206) 464-6595	(206) 389-2079	<a href="mailto:judyk@atg.wa.gov">judyk@atg.wa.gov</a>
Commission Regulatory Staff	Gregory J. Trautman Assistant Attorney General 1400 S. Evergreen Park Drive S.W. P.O. Box 40128 Olympia, WA 98504-0128	(360) 664-1187	(360) 586-5522	<a href="mailto:gtrautma@wutc.wa.gov">gtrautma@wutc.wa.gov</a>

**APPENDIX B**  
**PROCEDURAL SCHEDULE**  
**DOCKET UG-061721**

<b>EVENT</b>	<b>DATE</b>	<b>INTERVAL</b>
Prefiled Direct Testimony	November 9, 2006	N/A
Technical Workshop	February 20, 2007	103 days
Parties' Settlement Conference	March 5, 2007	13 days
Response Testimony	April 6, 2007	32 days
Rebuttal/Cross-Answering Testimony	April 25, 2007	19 days
Evidentiary Hearing	May 14 – 16, 2007	19 days
Simultaneous Briefs <sup>3</sup>	June 8, 2007	25 days

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<sup>3</sup> Briefs must be submitted via e-mail by 12:00 (noon) to meet the Commission's internal distribution schedule and must be simultaneously provided in electronic format to all party representatives.