



Rob McKenna

# ATTORNEY GENERAL OF WASHINGTON

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February 21, 2008

**VIA ABC LEGAL MESSENGER AND E-MAIL**

The Honorable Ann Rendahl, Administrative Law Judge  
Washington Utilities & Transportation Commission  
1300 S. Evergreen Pk. Dr. S.W.  
PO Box 47250  
Olympia, WA 98504-7250

RE: Responses to Bench Request Nos. 1, 2, 3, and 4  
*Cost Management Services, Inc. v. Cascade Natural Gas Corporation,*  
Docket UG-061256

*UTC v. Cascade Natural Gas Corporation/In re Notification of Contract and Agreement  
between Cascade Natural Gas Corporation and its subsidiary CGC Energy, Inc.,*  
Dockets UG-070332 & UG-070639 (consolidated)

*UTC v. Cascade Natural Gas Corporation,*  
Docket UG-072337

Dear Judge Rendahl:

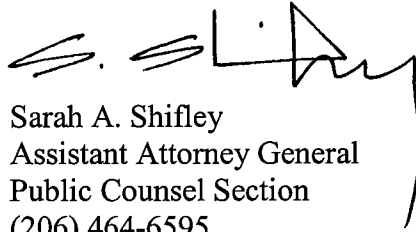
This letter responds to the Notice of Bench Requests filed on February 11, 2008, supplementing responses filed by other settling parties. Public Counsel will respond jointly with other parties to Bench Request No. 1. Public Counsel has not joined in other parties' responses to Bench Request Nos. 2, 3, and 4 for the reasons below. Bench Request Nos. 2, 3, and 4 address the capacity release provisions of paragraph 22 of the settlement agreement. The capacity release is an arrangement between Cascade and CMS which does not involve Public Counsel. Public Counsel joins in the settlement in reliance upon: (1) the specific representation by CMS and Cascade that the release provisions are not inconsistent with any FERC rules; and, (2) a "hold harmless" clause protecting the interests of Cascade's core customers.

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The Responses to Bench Requests 2-4 are, in effect, a further elaboration on the representation of CMS and Cascade contained in the settlement, and thus, in our view, are not appropriately responded to by Public Counsel.

Sincerely,



Sarah A. Shifley  
Assistant Attorney General  
Public Counsel Section  
(206) 464-6595

SS:kez

cc: Service List (U.S. Mail)