

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION,

Complainant,

v.

CASCADE NATURAL GAS
CORPORATION,

Respondent.

DOCKET UG-170929

ORDER 03

PREHEARING CONFERENCE
ORDER; NOTICE OF HEARING
(Set for May 15-17, 2018)

- 1 **NATURE OF PROCEEDING.** On August 31, 2017, Cascade Natural Gas Corporation (Cascade or Company) filed with the Washington Utilities and Transportation Commission (Commission) revisions to its currently effective Tariff WN U-3. The purpose of this filing is to increase rates and charges for natural gas service provided to customers in the state of Washington. Specifically, Cascade requests authority to increase charges and rates for natural gas service by approximately \$5.9 million, or 2.71 percent in base rates. Cascade agreed to the suspension of the tariff revisions. The Commission suspended operation of the tariffs on September 14, 2017, by Order 01 entered in this docket.
- 2 **CONFERENCE.** The Commission convened a prehearing conference in this docket at Olympia, Washington on October 9, 2017, before Administrative Law Judge Gregory J. Kopta
- 3 **APPEARANCES.** Lisa Rackner, McDowell Rackner & Gibson PC, Portland, Oregon, represents Cascade. Chad M. Stokes, Cable Huston LLP, Portland, Oregon, represents Northwest Industrial Gas Users (NWIGU). Simon ffitich, Attorney at Law, Bainbridge Island, Washington, represents The Energy Project. Lisa W. Gafken, Assistant Attorney General, Seattle, Washington, represents the Public Counsel Unit of the Washington State Attorney General’s Office (Public Counsel). Andrew O’Connell, Assistant Attorney General, Olympia, Washington, represents the Commission’s regulatory staff

(Commission Staff or Staff).¹ Contact information provided at the conference for the parties' representatives is attached as Appendix A to this order.

4 **PETITIONS FOR INTERVENTION.** NWIGU and The Energy Project filed petitions to intervene in these dockets. No party objected to any of the petitions for intervention. The Commission grants the petitions to intervene by NWIGU and The Energy Project.

5 **PROTECTIVE ORDER.** The Commission entered a protective order as Order 02 in this docket on September 14, 2017.

6 **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.

7 **PROCEDURAL SCHEDULE.** The parties agreed on a procedural schedule before the conference. The Commission adopts this procedural schedule, which is attached to this Order as Appendix B.

1 **DOCUMENT FILING AND SERVICE REQUIREMENTS.** Parties must file and serve all pleadings, motions, briefs, and other prefiled 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). 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 provided the email: (1)

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.

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) Parties must also file **an original and 5** paper copies (with original signatures, if applicable) of the documents with the Commission by 5 p.m. on the next business day following the filing deadline established in the procedural schedule (or other deadline as applicable) unless the Commission orders otherwise. The documents must conform to the formatting and other requirements in WAC 480-07-395 and WAC 480-07-460, and must comply with the requirements in WAC 480-07-160 and the Protective Order in these dockets for documents that include information designated as confidential. All hard copy filings must be mailed or otherwise 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.

(c) Parties must electronically serve the other parties and provide courtesy electronic copies of filings to the presiding administrative law judge (gkopta@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.

8 **EXHIBITS FOR CROSS-EXAMINATION.** Parties are required to file with the Commission and serve all proposed cross-examination exhibits by **5 p.m. on May 1, 2018**. The Commission requires electronic copies (in searchable Adobe Acrobat (.pdf)), the original, and five paper copies of the exhibits. 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)), the original, and five paper copies 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. The paper copies of the exhibits also must be organized into sets that are tabbed and labeled.

9 **EXHIBIT LISTS.** With each submission of prefiled 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 the exhibit lists it prepares for evidentiary hearings. Cascade 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 prefiled testimony and exhibits, as well as cross-examination exhibits by **5 p.m., May 1, 2018**.

- 10 **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 judge and the other parties by **5 p.m., May 1, 2018**.
- 11 **NOTICE OF HEARING.** The Commission will hold an evidentiary hearing in this matter on **May 15, 16 and 17, 2018**, at **9 a.m.**, in the Commission's Hearing Room, Second Floor, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.
- 12 **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 Gregory J. Kopta, Director, Administrative Law Division (gkopta@utc.wa.gov or 360-664-1355).
- 13 **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 October 10, 2017.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

GREGORY J. KOPTA
Administrative Law Judge

APPENDIX A

PARTIES' REPRESENTATIVES
DOCKET UG-170929

PARTY	REPRESENTATIVE	PHONE	E-MAIL
Cascade Natural Gas Corporation	Michael Parvinen Manager, Regulatory Cascade Natural Gas Corporation 8113 W Grandridge Blvd Kennewick, WA 99336-7166	(509) 734-4593	michael.parvinen@cngc.com
	Lisa Rackner McDowell Rackner & Gibson PC 419 SW 11th Avenue Ste 400 Portland, Oregon 97205	(503) 595-3925	lisa@mrg-law.com
	Jocelyn Pease	(503) 290-3620	jocelyn@mrg-law.com
	Alisha Till		alisha@mrg-law.com
NWIGU	Edward Finklea Executive Director 545 Grandview Drive Ashland, OR 97520	(541) 708-6338	efinklea@nwigu.org
	Chad Stokes 1001 SW Fifth Avenue Ste 2000 Portland, OR 97204-1136	(503) 224-3092	cstokes@cablehuston.com
	Tommy Brooks		tbrooks@cablehuston.com
The Energy Project	Shawn Collins Director The Energy Project 3406 Redwood Avenue Bellingham, WA 98225	(914) 207-8800	shawnc@oppco.org
	Simon ffitich Attorney at Law 321 High School Rd. NE Ste D3 #383 Bainbridge Island, WA 98110	(206) 669-8197	simon@ffitchlaw.com
	Carol Baker		carol@ffitchlaw.com
Commission Staff	Andrew O'Connell Assistant Attorney General WUTC P.O. Box 40128 Olympia, WA 98504	(360) 664-1192	AConnel@utc.wa.gov
	Krista Gross		kgross@utc.wa.gov
	Betsy DeMarco		bdemarco@utc.wa.gov

Public Counsel	Lisa W. Gafken Assistant Attorney General Office of the Attorney General Public Counsel Unit 800 5 th Avenue, Suite 2000 Seattle, WA 98104-3188	206-464-6595	Lisaw4@atg.wa.gov
	Armikka R. Bryant	(206) 389-2055	armikkab@atg.wa.gov
	Chanda Mak		chandam@atg.wa.gov

**APPENDIX B
PROCEDURAL SCHEDULE
DOCKET UG-170929**

EVENT	DATE
Public Notice Report	December 8, 2017
Cascade Issues List	December 27, 2017
Settlement Conference	February 1, 2018
Staff, Public Counsel and Intervenor Response Testimony and Exhibits ²	February 15, 2018
Settlement Conference	February 27, 2018
Joint Issues List	March 6, 2018
Company Rebuttal Testimony and Exhibits and Staff, Public Counsel and Intervenor Cross-Answering Testimony and Exhibits ³	March 23, 2018
Public Comment Hearing	TBD
Discovery Deadline – Last Day to Issue Data Request	April 13, 2018
Exhibit List, Cross Examination Exhibits, Witness Lists, and time Estimates	May 1, 2018
Evidentiary Hearing	May 15-17, 2018
Post-hearing Briefs and Updated Issues List	June 13, 2018
Suspension Date	August 1, 2018

² Response time to data request will be 7 business days.

³ Response time to data request will be 5 business days.