

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION,

Complainant,

v.

CASCADE NATURAL GAS
CORPORATION,

Respondent.

DOCKETS UG-210755

ORDER 07

DENYING MOTION TO STRIKE

BACKGROUND

- 1 On September 30, 2021, 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, Natural Gas.
- 2 On October 25, 2021, the Commission convened a virtual prehearing conference before Administrative Law Judges Samantha Doyle and Rayne Pearson, and on October 26, 2021, entered Order 03, Prehearing Conference Order and Notice of Hearing.
- 3 On February 18, 2022, counsel for Commission staff (Staff) notified the presiding Administrative Law Judges that Staff and Cascade had reached a full multi-party settlement in principle. Staff requested the Commission suspend the procedural schedule and convene a status conference to modify the schedule to accommodate the settlement.
- 4 On February 23, 2022, the Commission issued a Notice Suspending the Procedural Schedule and Notice of Status Conference.
- 5 On March 10, 2022, the Commission convened a virtual status conference before Administrative Law Judges Samantha Doyle and Rayne Pearson, and on March 11, 2022, entered Order 05, Second Prehearing Conference Order modifying the procedural schedule.
- 6 On April 28, 2022, Cascade filed a Motion to Strike Opposition Testimony and Exhibits relating to protected Excess Deferred Income Taxes (EDIT) and Schedule 663 Entitlement (Motion). Cascade argues that both issues are being taken up separately in other dockets and therefore do not fall within the scope of what the Company is calling a

limited issue rate case.¹ Additionally, the Company states that there is not enough time in the procedural schedule to properly address these issues presented in Mr. Mullins testimony for the Alliance of Western Energy Consumers (AWEC).

7 On May 4, 2022, AWEC filed a response in opposition to the Motion (Response). AWEC argues that Cascade should not be allowed to restrict the issues raised by other parties and that the abbreviated schedule in this docket is entirely of Cascade's own making.²

DISCUSSION

8 We deny Cascade's Motion.

9 When determining whether to accept a settlement, WAC 480-07-740(3)(c) provides that the Commission considers evidence and arguments from all parties on why the Commission should or should not approve and adopt the settlement. The Commission in the course of that consideration does not arbitrarily limit the scope of the docket or the settlement. Nor is the Company entitled to do so in the context of a general rate case in hopes of expediting the process and the effective date of rates.

10 While the Commission has discretion not to consider the same issue in multiple dockets, the fact that issues are being addressed in other dockets does not foreclose consideration of testimony concerning those issues in this proceeding. We find that AWEC's testimony addresses issues that are within the scope of this docket and exercise our authority and discretion to review it when considering whether to approve the settlement.

ORDER

THE COMMISSION ORDERS that the Commission DENIES Cascade Natural Gas Corporation's Motion to Strike Opposition Testimony.

DATED at Lacey, Washington, and effective May 26, 2022.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

/s/ Samantha Doyle
SAMANTHA DOYLE
Administrative Law Judge

¹ Cascade Motion ¶¶ 5-6.

² AWEC Response ¶¶ 3-4.

**NOTICE TO PARTIES: This is an Interlocutory Order of the Commission.
Administrative review may be available through a petition for review, filed within
10 days of the service of this Order pursuant to WAC 480-07-810.**