

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

WASHINGTON UTILITIES AND	)	DOCKET UG-070332
TRANSPORTATION COMMISSION,	)	<i>(Consolidated)</i>
	)	
Complainant,	)	ORDER 04
	)	
v.	)	PREHEARING CONFERENCE
	)	ORDER
CASCADE NATURAL GAS	)	
CORPORATION,	)	NOTICE OF PREHEARING
	)	CONFERENCE
Respondent.	)	<b>(March 7, 2008, 9:30 a.m.)</b>
	)	
.....	)	
	)	
In re Notification of Contract and	)	DOCKET UG-070639
Arrangement between	)	<i>(Consolidated)</i>
	)	
CASCACADE NATURAL GAS	)	ORDER 02
CORPORATION,	)	
	)	PREHEARING CONFERENCE
and its subsidiary	)	ORDER
	)	
CGC ENERGY, INC.	)	NOTICE OF PREHEARING
	)	CONFERENCE
	)	<b>(March 7, 2008, 9:30 a.m.)</b>
.....	)	

- 1 **NATURE OF PROCEEDINGS.** Docket UG-070332 involves tariff revisions Cascade Natural Gas (Cascade) filed in response to Order 03 in Cost Management Services, Inc., (CMS) complaint proceeding in Docket UG-061256. The tariff revisions establish schedules for retail gas sales to non-core customers and associated services. The Commission suspended the tariff schedules in Order 01 following the March 14, 2007, open meeting.
- 2 Docket UG-070639 involves Cascade's notice to the Commission that it intends to make retail gas sales to non-core customers through a reactivated affiliate, CGC Energy, Inc.<sup>1</sup>
- 3 **APPEARANCES.** John A. Cameron, Davis Wright Tremaine, LLP, Portland, Oregon, represents CMS. Lawrence H. Reichman, Perkins Coie, LLP, Portland, Oregon, represents Cascade. Edward A. Finklea and Chad M. Stokes, attorneys, Cable Huston Benedict Haagensen & Lloyd LLP, Portland, Oregon, represent the Northwest Industrial Gas Users (NWIGU). Simon ffitch and Sarah Shifley, Assistant Attorneys General, Seattle, Washington, represent the Public Counsel Section of the Washington Office of the Attorney General (Public Counsel). Gregory J. Trautman, Assistant Attorney General, Olympia, Washington, represents the Washington Utilities and Transportation Commission's (Commission) regulatory staff (Commission Staff or Staff).<sup>2</sup>
- 4 **PETITIONS FOR INTERVENTION.** NWIGU petitioned in writing to intervene in the docket. No party objected to the petition for intervention, which was granted.

---

<sup>1</sup> The Commission consolidated Dockets UG-070332 and UG-070639 on October 12, 2007. See Order 03 – Order Accepting CMS's Petition for Interlocutory Review; Denying Petition; Order Consolidating Docket in Docket UG-070332 and Order 01 – Order Consolidating Docket UG-070639.

<sup>2</sup> In formal proceedings such as this, the Commission's regulatory staff functions as an independent party with the same rights, privileges, and responsibilities as other parties 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 regulatory staff. RCW 34.05.455.

5     **PROTECTIVE ORDER.** The parties deferred their request for a protective order until they determined whether they would need one.

6     **DISCOVERY.** The parties deferred invocation of the Commission’s discovery rules until a later time in this proceeding when they will evaluate the need to conduct discovery.

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

Settlement conference	December 11, 2007
-----------------------	-------------------

Final Staff report filed	February 15, 2008
--------------------------	-------------------

Second prehearing conference	March 7, 2008
------------------------------	---------------

8     **NOTICE OF HEARING.** The Commission will hold a prehearing conference in this matter on Friday, March 7, 2008, 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.

9     **DOCUMENT PREPARATION AND FILING REQUIREMENTS.** Parties must file an original plus **eight (8)** 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 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.utc.wa.gov/e-filing](http://www.utc.wa.gov/e-filing)) or by e-mail delivery to <[records@utc.wa.gov](mailto:records@utc.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.utc.wa.gov/e-filing](http://www.utc.wa.gov/e-filing)) or by e-mail to [records@utc.wa.gov](mailto:records@utc.wa.gov), and file an original, plus **eight (8)** copies, of the document with the Commission by the following business day.
- 13 **ALTERNATE DISPUTE RESOLUTION.** The Commission notes that the parties have established a date for a settlement conference and encourages the parties to pursue this means of resolving their dispute. If the parties need further assistance with dispute resolution the Commission does have limited ability to provide such services; if you wish to explore those services, please call the Director, Administrative Law Division, at 360-664-1144.

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 November 27, 2006.

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

THEODORA M. MACE  
Administrative Law Judge

<b>APPENDIX A</b>				
<b>PARTIES' REPRESENTATIVES</b>				
<b>DOCKETS UG-070332 AND UG-070639</b>				
<b>PARTY</b>	<b>REPRESENTATIVE</b>	<b>PHONE</b>	<b>FACSIMILE</b>	<b>E-MAIL</b>
<b>Cascade Natural Gas</b>	<b>LAURENCE REICHMAN</b> Perkins Coie LLP 1120 NW Couch St., 10 <sup>th</sup> Floor Portland, OR 97209-4128	(503) 727-2019	(503) 346-2162	<a href="mailto:LReichman@perkinscoie.com">LReichman@perkinscoie.com</a>
	<b>JOHN STOLTZ</b>			<a href="mailto:jstoltz@cngc.com">jstoltz@cngc.com</a>
<b>Northwest Industrial Gas Users</b>	<b>EDWARD A. FINKLEA</b> <b>CHAD M. STOKES</b> Cable Huston Benedict Haagensen & Lloyd LLP 1001 SW Fifth Avenue Suite 2000 Portland, OR 97204-1136	(503) 224-3092 (503) 224-3092	(503) 224-3176 (503) 224-3716	<a href="mailto:efinklea@chbh.com">efinklea@chbh.com</a> <a href="mailto:cstokes@chbh.com">cstokes@chbh.com</a>
	<b>SIMON FFITCH</b> <b>SARAH SHIFELY</b> Public Counsel Section Office of Attorney General 800 Fifth Avenue Suite 2000 Seattle, WA 98104-3188	(206) 464-6595 (206) 464-6595	(206) 46-6451	<a href="mailto:simonf@atg.wa.gov">simonf@atg.wa.gov</a> <a href="mailto:sarahs@atg.wa.gov">sarahs@atg.wa.gov</a>
	<b>STEVE JOHNSON</b> <b>KATHRYN ZSOKA</b>			<a href="mailto:stevenj@atg.wa.gov">stevenj@atg.wa.gov</a> <a href="mailto:kathrynz@atg.wa.gov">kathrynz@atg.wa.gov</a>
<b>Commission Staff</b>	<b>GREG TRAUTMAN</b> Assistant Attorney General 1400 S. Evergreen Park Dr. SW PO Box 40128 Olympia, WA 98504-0128	(360) 664-1187	(360) 586-5522	<a href="mailto:gtrautma@utc.wa.gov">gtrautma@utc.wa.gov</a>
<b>Presiding Administrative Law Judge</b>	<b>THEODORA M. MACE</b> 1300 S. Evergreen Park Dr SW P.O. Box 47250 Olympia, WA 98504-7250	(360) 664-1285	(360) 664-2654 (ALD fax only – do not use to file)	<a href="mailto:tmace@utc.wa.gov">tmace@utc.wa.gov</a>

**APPENDIX B**  
**PROCEDURAL SCHEDULE**  
**DOCKETS UG-070332 AND UG-070639**

<b>EVENT</b>	<b>DATE</b>	<b>INTERVAL</b>
Settlement conference	December 11, 2007	
Final Staff Report filed	February 15, 2008	65 days
Second Prehearing conference	March 7, 2008, 9:30 a.m.	20 days