

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

| | | |
|-----------------------------------|---|----------------------------|
| In the Matter of the Request of |) | DOCKET UG-081972 |
| |) | |
| CASCADE NATURAL GAS |) | ORDER 01 |
| CORPORATION, |) | |
| |) | |
| Petitioner, |) | |
| |) | ORDER GRANTING LESS THAN |
| For Less Than Statutory Notice in |) | STATUTORY NOTICE; ALLOWING |
| Connection with Tariff Revisions |) | TARIFF REVISIONS |
| |) | |

BACKGROUND

- 1 On October 30, 2008, Cascade Natural Gas Corporation, (Cascade or Company) filed with the Washington Utilities and Transportation Commission (Commission) a revision to its currently effective Tariff WN U-3, designated as First Revision Sheet 302. This filing updates the Company’s commercial/industrial conservation-related tariff to make the program available to core commercial/industrial customers served on rate schedules 570 and 577.
- 2 RCW 80.28.060 and WAC 480-80-121 require thirty days’ notice to the Commission prior to the effective date of the tariff. The tariff sheet bears an effective date of November 29, 2008. This date recognizes the required 30-day statutory notice. The Company requests, however, less than statutory notice as permitted by WAC 480-80-122, and that the revision becomes effective November 14, 2008. Cascade requests less than statutory notice because the schedule 570 and 577 customers were inadvertently excluded from the tariff, and since these customers pay a portion of the deferred costs associated with the conservation program, it is appropriate for them to be eligible to participate.
- 3 Since the proposed tariff revision appears to be fair, just, reasonable and sufficient, and less than statutory notice is consistent with the public interest, it is appropriate that the Commission grant Cascade’s request with an effective date of November 14, 2008.

FINDINGS AND CONCLUSIONS

- 4 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington vested by statute with the authority to regulate the rates, regulations, practices, accounts, securities, transfers of property and affiliated

interests of public service companies, including gas companies. *RCW 80.01.040, RCW 80.04, RCW 80.08, RCW 80.12, RCW 80.16 and RCW 80.28.*

- 5 (2) Cascade is a natural gas company and a public service company subject to Commission jurisdiction.
- 6 (3) Cascade is subject to RCW 80.28.060 and WAC 480-80-121, which require gas companies to file changes in any rule or regulation relating to any rate, charge or service with thirty days' notice. For good cause shown, however, the Commission may allow changes without requiring thirty days notice by order specifying the changes to be made and the time when it shall take effect. *RCW 80.28.060 and WAC 480-80-122.*
- 7 (4) Under WAC 480-90-008, the Commission may grant an exemption from the provisions of any rule in WAC 480-90, if consistent with the public interest, the purposes underlying regulation and applicable statutes. *See also WAC 480-07-110.*
- 8 (5) Staff has reviewed Cascade's request in Docket UG-081972 and recommends the Commission grant the Company's request for less than statutory notice.
- 9 (6) This matter came before the Commission at its regularly scheduled meeting on November 13, 2008.
- 10 (7) After reviewing Cascade's proposed tariff revision filed on October 30, 2008, and giving due consideration to all relevant matters and for good cause shown, the Commission finds the proposed tariff revision should become effective November 14, 2008.

ORDER

THE COMMISSION ORDERS:

- 11 (1) Cascade Natural Gas Corporation's request for less than statutory notice is granted.

- 12 (2) The tariff revisions Cascade Natural Gas Corporation filed on October 30, 2008, will be effective on November 14, 2008.

The Commissioners, having determined this Order to be consistent with the public interest, directed the Executive Secretary to enter this Order.

DATED at Olympia, Washington, and effective November 13, 2008.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER, Executive Director and Secretary