BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION, Complainant, v. CASCADE NATURAL GAS CORPORATION, Respondent.	DOCKET PG-230800 STAFF'S MOTION FOR LEAVE TO REPLY

I. INTRODUCTION

1 Sapphire filed a motion to dismiss Staff's complaint alleging violations of state and federal laws and regulations regarding an LNG release and ignition that occurred at Cascade's mobile LNG site in Toppenish on September 22, 2023. Cascade filed a response to Sapphire's motion to dismiss on July 11, 2025, after Staff. Cascade's response, though, largely lacking in legal argument or authority, is supportive of Sapphire's motion to dismiss and alleges a new argument that was not included in Sapphire's initial motion. Staff now files for leave to reply to Cascade's response to Sapphire's motion to dismiss.

2 The Commission should grant Staff's leave to reply as Cascade alleges a novel basis for dismissal of a cause of action that Staff has not had the opportunity to address.

II. RELIEF REQUESTED

3 Staff respectfully requests that the Commission grant it leave to file a reply in support of its response in opposition to Sapphire's motion to dismiss.

III. STATEMENT OF FACTS

4 On March 27, 2025, the Commission issued a complaint in this docket against Cascade alleging multiple violations of state and federal pipeline safety laws and regulations. Sapphire filed to intervene in this matter on April 22, 2025, and was granted limited intervention during the prehearing conference on April 25, 2025. Roughly two months later, Sapphire filed the present motion to dismiss on July 1, 2025. Staff responded on July 10, 2025, and Cascade filed a response in support of Sapphire's motion on July 11, 2025.

5 Cascade's response includes a new argument that Staff has not had the opportunity to respond to. The response alleges arguments concerning Cascade's obligation to file its manual in advance of pipeline operations, an argument Staff seeks to address.

6 Staff now seeks leave to reply.

IV. STATEMENT OF ISSUES

7 Should the Commission grant Staff leave to reply?

V. ARGUMENT

8 Good cause exists to allow Staff leave to reply. The Commission should, accordingly, grant it that leave.

9 Commission rules only permit a party to file a reply to any response with permission from the Commission.[1] The Commission may grant a reply "only upon a showing of good cause."[2]

10 Good cause exists to authorize a reply here. As explained in the proposed reply, filed concurrently with this motion, Cascade alleges a new basis for why the sixth cause of action

[1] WAC 480-07-370(5)(b).
[2] WAC 480-07-370(5)(b).

in Staff's complaint should be dismissed. This argument is not addressed in Sapphire's initial motion and is only offered by Cascade in its own response to that motion. Absent an opportunity to reply, Staff does not have any other opportunity to address and counter this argument. Permitting reply now allows Staff the opportunity to address all arguments against its complaint and present a thorough and complete record for the Commission to consider in assessing this motion.

11 Additionally, Cascade's framing of the requirements of the contents of the manual itself ignores key facts in this case, and the record would benefit from clarity. Finally, Cascade's response concerning the 11.4.5.2 claims ignores the plain language of the PHMSA rules and demonstrates reckless disregard for regulatory requirements Cascade is required to follow in its operations.

VI. CONCLUSION

12 Staff requests that the Commission grant it leave to file the reply to Cascade's response to Sapphire's motion to dismiss.

DATED this 18th day of July 2025.

Respectfully submitted,

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