

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

In the Matter of the Request of)	DOCKET NO. UG-041218
)	
NORTHWEST NATURAL GAS)	ORDER NO. 01
COMPANY,)	
)	
Petitioner,)	
)	
For Less Than Statutory Notice in)	ORDER GRANTING LESS THAN
Connection with Tariff Revisions)	STATUTORY NOTICE
.....)	

BACKGROUND

- 1 On July 2, 2004, Northwest Natural Gas Company (NWN or the Company) filed with the Commission revisions to its currently effective Tariff WN U-6, designated as First Revision of Sheet 103.2. The purpose of this filing is to correct a typographical error in the transportation rate on Schedule 3 that was recently filed to comply with the Commission’s Order Number 04 in Docket UG-031885 (NWN’s general rate case).
- 2 RCW 80.28.060 and WAC 480-80-121 require a thirty-day notice prior to the effective date of the tariff. The tariff sheets bear an inserted effective date of August 2, 2004. This date recognizes statutory notice as required. The Company requests, however, less than statutory notice as permitted in WAC 480-80-122, and that the revisions become effective July 17, 2004. NWN states the reason for less than statutory notice is to correct a typographical error as soon as practicable to comply with the terms of the settlement and the Commission’s final order in Docket UG-031885. NWN states that there are no customers currently taking transportation service on this rate schedule, therefore no customer notice is necessary.
- 3 WAC 480-90-194 requires notification to customers or publication of the increase sought in this filing. Granting the Company’s less than statutory notice request

also requires an exemption from WAC 480-90-194. Because there are no effected customers the Company seeks such an exemption from notice requirements.

4 Since the proposed tariff revisions appear to be fair, just, and reasonable, and less than statutory notice is consistent with the public interest, it is appropriate that the Commission grant NWN's request with an effective date of July 17, 2004.

FINDINGS AND CONCLUSIONS

- 5 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington vested by statute with the authority to regulate rates, regulations, practices, accounts, securities, and transfers of public service companies, including gas companies. *RCW 80.01.040; Chapter 80.04 RCW and Chapter 80.28 RCW.*
- 6 (2) NWN is a gas company and is a public service company subject to the jurisdiction of the Commission.
- 7 (3) NWN is subject to the provisions of RCW 80.28.060 and WAC 480-80-121 requiring gas companies to file changes in any rate or charge 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. *WAC 480-80-122.*
- 8 (4) WAC 480-90-008 provides that the Commission may grant an exemption from the provisions of any rule in Chapter 480-90 WAC, if consistent with the public interest, the purposes underlying regulation and applicable statutes.

- 9 (5) Staff has reviewed the request in Docket UG-041218 and recommended the less than statutory notice request of NWN be granted. Staff further recommended the Commission grant an exemption to WAC 480-90-194.
- 10 (6) This matter was brought before the Commission at its regularly scheduled meeting on July 16, 2004.
- 11 (7) After examination of the proposed tariff revisions filed by NWN on July 2, 2004, and giving consideration to all relevant matters and for good cause shown, the Commission finds the proposed tariff revisions should become effective July 17, 2004.

ORDER

THE COMMISSION ORDERS:

- 12 (1) The request sought by NWN for less than statutory notice is granted.
- 13 (2) After the effective date of this Order, Northwest Natural Gas Company is granted an exemption from WAC480-90-194, Publication of proposed changes to increase charges or restrict access to service.

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

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DATED at Olympia, Washington, and effective this 16th day of July, 2004.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary