

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION,

Complainant,

v.

CASCADE NATURAL GAS
CORPORATION,

Respondent.

DOCKET PG-150120

ORDER 02

PREHEARING CONFERENCE
ORDER; NOTICE OF HEARING
**(Set for March 22, 2017,
at 9:30 a.m.)**

- 1 On July 12, 2016, the Washington Utilities and Transportation Commission (Commission) filed a Formal Complaint against Cascade Natural Gas Corporation (Cascade), alleging Cascade violated Order 01 in this docket, entered February 12, 2015, and failed to maintain records or documentation sufficient to establish, confirm, or validate the Maximum Allowable Operating Pressure. On July 29, 2016, Cascade filed an answer to the Complaint.
- 2 **CONFERENCE.** The Commission convened a prehearing conference in this docket at Olympia, Washington on August 31, 2016, before Administrative Law Judge Marguerite E. Friedlander.
- 3 **APPEARANCES.** Sheree Strom Carson, Perkins Coie LLP, Bellevue, Washington represents Cascade. Julian Beattie, Assistant Attorney General, Olympia, Washington, represents the Commission's regulatory staff (Commission Staff or Staff).¹ Contact information provided at the conference for the parties' representatives is attached as Appendix A to this order.

¹ In formal proceedings, such as this, the Commission's regulatory staff participates like any other party, while the Commissioners make the decision. To assure fairness, the Commissioners, the presiding administrative law judge, and the Commissioners' policy and accounting advisors do not discuss the merits of this proceeding with the regulatory staff, or any other party, without giving notice and opportunity for all parties to participate. *See*, RCW 34.05.455.

4 **PETITIONS FOR INTERVENTION.** No entity appeared at the prehearing conference seeking to intervene.

5 **DISCOVERY.** Discovery will be conducted pursuant to the Commission's discovery rules, WAC 480-07-400 – 425. The Commission urges the parties to work cooperatively together to avoid having to bring discovery matters forward for formal resolution.

6 **PROCEDURAL SCHEDULE.** The parties agreed on a procedural schedule during the prehearing conference. The Commission adopts this procedural schedule, which is attached to this Order as Appendix B.

7 **DOCUMENT FILING REQUIREMENTS.** Parties must file all pleadings, motions, briefs, and other prefiled materials in compliance with all of the following requirements:

(a) Parties must submit electronic copies in native Microsoft format (Word, Excel, etc.) and searchable Adobe Acrobat (.pdf) of all documents by 5:00 p.m. on the filing deadline established in the procedural schedule (or other deadline as applicable) unless the Commission orders otherwise. If any of the documents contain information that is designated as confidential or highly confidential, the party must also file an electronic copy (in Adobe Acrobat (.pdf) of the redacted version of each such document. Parties must follow WAC 480-07-140(5) in organizing and identifying electronic files. Parties may submit documents electronically through the Commission's Web Portal (www.utc.wa.gov/e-filing) or by email to records@utc.wa.gov.

(b) Parties must file the one paper copy (with original signatures, if applicable) of the documents with the Commission by 5:00 p.m. on the first business day following the filing deadline as provided in WAC 480-07-145(6). The documents must conform to the format and publication guidelines in WAC 480-07-395 and WAC 480-07-460. All hard copy filings must be mailed or delivered to the Executive Director and Secretary, Washington Utilities and Transportation Commission, P.O. Box 47250, 1300 S. Evergreen Park Drive S.W., Olympia, Washington 98504-7250.

8 Parties must electronically serve the other parties and provide courtesy electronic copies of filings to **Judge Friedlander** (mfriedla@utc.wa.gov) by 5:00 p.m. on the filing deadline unless the Commission orders otherwise. If parties are unable to email copies, they may furnish electronic copies by delivering them on a flash drive.

- 9 **EXHIBITS FOR CROSS-EXAMINATION.** Parties are required to file with the Commission and serve all proposed cross-examination exhibits by **3:00 p.m.** on **Friday, March 17, 2017**. The Commission requires electronic copies in native format, if available, and searchable Adobe Acrobat (.pdf) and one paper copy of the exhibits. If any of the exhibits contain information that is designated as confidential or highly confidential, the party must also file one electronic copy (in Adobe Acrobat (.pdf)) and one paper copy of the redacted version of each such exhibit. The exhibits must be grouped according to the witness the party attends to cross examine with the exhibits. The paper copies of the exhibits also must be organized into sets that are tabbed and labeled.
- 10 **EXHIBIT LISTS.** Each party must file a list of all exhibits the party intends to introduce into the evidentiary record, including all prefiled testimony and exhibits, as well as cross-examination exhibits. The parties must file and serve their exhibit lists by **3:00 p.m.** on **Friday, March 17, 2017**.
- 11 **CROSS-EXAMINATION TIME ESTIMATES.** Each party must provide a list of witnesses the party intends to cross-examine during the evidentiary hearing and an estimate of the time that party anticipates the cross-examination of that witness will take. Parties should not file witness lists or cross-examination time estimates but must provide them to **Judge Friedlander** (mfriedla@utc.wa.gov) and the other parties by **3:00 p.m.** on **Friday, March 17, 2017**.
- 12 **NOTICE OF HEARING.** The Commission will hold an evidentiary hearing in this matter on **March 22, 2017**, 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.
- 13 **ALTERNATE DISPUTE RESOLUTION.** The Commission supports the informal settlement of matters before it. Parties are encouraged to consider means of resolving disputes informally. The Commission has limited ability to provide dispute resolution services. If you wish to explore those services, please contact Gregory J. Kopta, Director, Administrative Law Division (gkopta@utc.wa.gov or 360-664-1355).
- 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 September 2, 2016.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARGUERITE E. FRIEDLANDER
Administrative Law Judge

APPENDIX A

**PARTIES' REPRESENTATIVES
DOCKET PG-150120**

PARTY	REPRESENTATIVE	PHONE	E-MAIL
Cascade Natural Gas Corporation	Sheree Strom Carson Perkins Coie LLP 10885 N.E. Fourth Street, Suite 700 Bellevue, WA 98004-5579	425-635-1400	scarson@perkinscoie.com
	Eric Martuscelli Vice President, Operations Cascade Natural Gas 8113 Grandridge Blvd. Kennewick, WA 99336	509-734-4585	eric.martuscelli@cngc.com
Staff	Julian Beattie Office of the Attorney General Utilities and Transportation Division 1400 S. Evergreen Park Drive SW P.O. Box 40128 Olympia, WA 98504-0128	360-664-1225	jbeattie@utc.wa.gov
	Alan Rathbun Washington Utilities and Transportation Commission 1300 S. Evergreen Park Drive SW P.O. Box 47250 Olympia, WA 98504-7250	360-664-1219	arathbun@utc.wa.gov

APPENDIX B
PROCEDURAL SCHEDULE
DOCKET PG-150120

EVENT	DATE
Settlement Conference (parties only)	September 21, 2016
Status Report to ALJ on Settlement Conference	November 1, 2016
Staff Direct Testimony and Exhibits	December 15, 2016
Cascade Response Testimony and Exhibits	January 31, 2017
Staff Rebuttal Testimony and Exhibits; Cascade Cross-Answering Testimony and Exhibits	February 17, 2017
Last Day to Conduct Discovery	March 8, 2017
Cross-Examination Exhibits, Witness Lists, and Time Estimates	March 17, 2017
Evidentiary Hearing	March 22, 2017
Simultaneous Initial Briefs	April 21, 2017
Simultaneous Reply Briefs	May 5, 2017