

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND  
TRANSPORTATION COMMISSION,

Complainant,

v.

CASCADE NATURAL GAS  
CORPORATION,

Respondent.

DOCKET UG-220198

ORDER 02

PREHEARING CONFERENCE  
ORDER; NOTICE OF HEARING  
**(Evidentiary Hearing set for  
November 17, 2022, at 9:30 a.m.)**

- 1 **NATURE OF PROCEEDING.** On March 24, 2022, Cascade Natural Gas Corporation (Cascade or Company) filed with the Washington Utilities and Transportation Commission (Commission) revisions to its currently effective Tariff WN U-3 in Docket UG-220198 that would, among other things: (1) set the amortization rate for an historical level of protected Excess Deferred Income Tax prospectively; (2) establish a deferred balance of approximately \$3.3 million, which represents the amount Cascade claims has been over-refunded to customers; (3) reverse the current deferred protected Average Rate Assumption Method component and record it in the current federal income tax account; and (4) file an adjustment to the Company's rate Schedule 581 to set the amortization to match the test year used in the Company's most recent general rate case in Docket UG-210755. The Commission suspended operation of the tariff revisions on April 18, 2022, by Order 01 entered in this Docket.
- 2 **CONFERENCE.** The Commission convened a virtual prehearing conference on June 6, 2022, before Administrative Law Judges Samantha Doyle and Rayne Pearson.
- 3 **APPEARANCES.** Donna Barnett, Perkins Coie, Bellevue, Washington, represents Cascade. Nash Callaghan, Assistant Attorney General, Olympia, Washington, represents Commission staff (Staff).<sup>1</sup> Ann N.H. Paisner, Lisa Gafken, and Nina M. Suetake,

---

<sup>1</sup> 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

Assistant Attorneys General, Seattle, Washington, represent the Public Counsel Unit of the Attorney General's Office (Public Counsel). Chad M. Stokes, Cable Huston LLP, Portland, Oregon, represents the Alliance of Western Energy Consumers (AWEC). Contact information for the representatives of those granted party status is attached as Appendix A to this Order.

4 **PETITION FOR INTERVENTION.** AWEC timely filed a petition to intervene.

5 Absent objections to the petition to intervene, the Commission finds that AWEC has established a substantial interest in this proceeding and that its participation will be in the public interest. Accordingly, the Commission grants AWEC's petition.

6 **DISCOVERY.** Order 01 provides that discovery will be conducted under 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.

7 The Commission believes it will aid discovery in this case if all responses to data requests are shared with all parties. No party objects to the Commission making the exchange of data requests and responses with all parties a requirement for discovery in this case. Accordingly, the Commission requires the parties to share every data request and data request response with all parties subject to any confidentiality limitations contained in Commission rules.

8 **PROCEDURAL SCHEDULE.** The parties agreed to a procedural schedule at the prehearing conference. The Commission adopts the parties' proposed procedural schedule, which is attached to this Order as Appendix B, with minor modifications.<sup>2</sup> The parties may modify the date of the settlement conferences by providing written notice to the Commission.

---

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.

<sup>2</sup> Because the parties did not include a last date to issue data requests, the Commission adopts a deadline of November 9, 2022. The Commission also modifies the date for filing cross-examination exhibits, witness lists, and time estimates to November 10, 2022, and adds the same deadline for filing exhibits errata.

- 9 **DOCUMENT FILING AND SERVICE REQUIREMENTS.** Parties must file and serve all pleadings, motions, briefs, and other pre-filed materials in compliance with all the following requirements:
- (a) Parties must submit electronic copies of all documents by 5 p.m. on the filing deadline established in the procedural schedule (or other deadline as applicable) unless the Commission orders otherwise. Parties must comply with WAC 480-07-140(6) in formatting, organizing, and identifying electronic files.
  - (b) The Commission accepts only electronic versions of documents for formal filing. Parties must submit documents electronically through the Commission's web portal ([www.utc.wa.gov/e-filing](http://www.utc.wa.gov/e-filing)). If a party is unable to use the web portal to submit documents for filing, the Commission will accept a submission via email to [records@utc.wa.gov](mailto:records@utc.wa.gov), provided that the email: (1) explains the reason the documents are not being submitted via the web portal, and (2) complies with the requirements in WAC 480-07-140(5)(b).
  - (c) Due to the ongoing COVID-19 pandemic, the Commission is suspending requirements for paper filings in this case.
  - (d) Documents filed with the Commission must conform to the formatting and other requirements in WAC 480-07-395 and WAC 480-07-460 and must comply with the requirements in WAC 480-07-160 for documents that include information designated as confidential.
  - (e) Parties must electronically serve the other parties and provide courtesy electronic copies of filings to the presiding administrative law judges ([samantha.doyle@utc.wa.gov](mailto:samantha.doyle@utc.wa.gov) and [rayne.pearson@utc.wa.gov](mailto:rayne.pearson@utc.wa.gov)) by 5 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 only.
- 10 **EXHIBITS FOR CROSS-EXAMINATION.** Parties are required to file with the Commission and serve all proposed cross-examination exhibits by **5 p.m. on Thursday, November 10, 2022**. The Commission requires electronic copies in searchable PDF (Adobe Acrobat or comparable software). If any of the exhibits contain information designated as confidential, parties must file an electronic copy of the redacted version in searchable PDF (Adobe Acrobat or comparable software) of each such exhibit. The

exhibits must be grouped according to the witness the party intends to cross examine with the exhibits.

- 11 **EXHIBIT LISTS.** With each submission of pre-filed testimony and exhibits, the party making the submission must include a preliminary exhibit list that identifies each submitted exhibit in the format the Commission uses for exhibit lists it prepares for evidentiary hearings. The Company will prepare its preliminary exhibit list for the testimony and exhibits included in its initial filing and circulate it to the parties. Each party must file and serve a list of all exhibits the party intends to introduce into the evidentiary record, including all pre-filed testimony and exhibits, as well as cross-examination exhibits by **5 p.m., Thursday, November 10, 2022.**
- 12 **CROSS-EXAMINATION TIME ESTIMATES.** Each party must provide a list of witnesses the party intends to cross-examine at 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 the administrative law judges ([samantha.doyle@utc.wa.gov](mailto:samantha.doyle@utc.wa.gov) and [rayne.pearson@utc.wa.gov](mailto:rayne.pearson@utc.wa.gov)) and the other parties by **5 p.m., Thursday, November 10, 2022.**
- 13 **ERRATA TO EXHIBITS.** Each party must file with the Commission and serve on all parties a list of any corrections or revisions to its witnesses' testimony and exhibits by **5 p.m., Thursday, November 10, 2022.** Pursuant to WAC 480-07-460(6), each correction or revision must be identified separately by exhibit number, page, and line (or row, column, cell, etc., as applicable) and must specify the text to be revised, added, or deleted.
- 14 **PUBLIC COMMENT HEARING.** The Commission will hold a public comment hearing in this docket. The parties will inform the Commission when a date for the Public Comment hearing is selected. Cascade's customers will receive notice of the date, time, and virtual location of the public comment hearing, as well as other information required under WAC 480-90-197, at least 30 days prior to the date of the public comment hearing. Due to the ongoing COVID-19 pandemic, the Commission will convene the public comment hearing virtually via Zoom.
- 15 **NOTICE OF EVIDENTIARY HEARING.** The Commission will hold a virtual evidentiary hearing in this Docket via Zoom on **Thursday, November 17, 2022, beginning at 9:30 a.m.** To participate by phone, please call (253) 215 8782, enter the

Conference ID 860 7586 3368#, and use passcode 323912#. To participate via Zoom, use the following link: [Click here to join the meeting](#).

- 16 **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 Rayne Pearson, Director, Administrative Law Division (360-664-1136).
- 17 **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 this Order, in the upper right-hand corner. Absent such objection, this Order will control further proceedings in this docket, subject to Commission review.**

Dated at Olympia, Washington, and effective June 7, 2022.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

*/s/ Rayne Pearson*  
RAYNE PEARSON  
Administrative Law Judge

**APPENDIX A  
PARTIES' REPRESENTATIVES  
DOCKET UG-220198**

<b>PARTY</b>	<b>REPRESENTATIVE</b>	<b>PHONE</b>	<b>E-MAIL</b>
Cascade Natural Gas	Donna Barnett Perkins Coie LLP 10885 NE 4 <sup>th</sup> Street, Suite 700 Bellevue, WA 98004	(425) 635-1419	<a href="mailto:DBarnett@perkinscoie.com">DBarnett@perkinscoie.com</a>
	Megan Lin		<a href="mailto:mclin@perkinscoie.com">mclin@perkinscoie.com</a>
	Lori Blattner		<a href="mailto:Lori.blattner@intergas.com">Lori.blattner@intergas.com</a>
	Cascade Regulatory Filings		<a href="mailto:CNGCRegulatory@cngc.com">CNGCRegulatory@cngc.com</a>
Commission Staff	Nash Callaghan Assistant Attorney General Office of the Attorney General Utilities and Transportation Division 621 Woodland Square Loop SE P.O. Box 40128 Olympia, WA 98504	(360) 664-1187	<a href="mailto:nash.callaghan@utc.wa.gov">nash.callaghan@utc.wa.gov</a>
	Jeanne Roth		<a href="mailto:Jeanne.roth@utc.wa.gov">Jeanne.roth@utc.wa.gov</a>
Public Counsel	Ann N.H. Paisner, Lisa Gafken, and Nina M. Suetake Assistant Attorneys General Washington Attorney General's Office Public Counsel Unit 800 Fifth Avenue, Suite 2000 Seattle, WA 98104-3188	(206) 464-6595	<a href="mailto:Lisa.Gafken@atg.wa.gov">Lisa.Gafken@atg.wa.gov</a> <a href="mailto:Ann.Paisner@atg.wa.gov">Ann.Paisner@atg.wa.gov</a> <a href="mailto:Nina.Suetake@atg.wa.gov">Nina.Suetake@atg.wa.gov</a>
	Shay Bauman		<a href="mailto:Shay.Bauman@atg.wa.gov">Shay.Bauman@atg.wa.gov</a>
	Thomas Johnson		<a href="mailto:Thomas.Johnson@atg.wa.gov">Thomas.Johnson@atg.wa.gov</a>
	Chanda Mak		<a href="mailto:chandam@atg.wa.gov">chandam@atg.wa.gov</a>
	Brice C. Hartman		<a href="mailto:Brice.Hartman@athg.wa.gov">Brice.Hartman@athg.wa.gov</a>
AWEC	Chad M. Stokes Cable Huston LLP 1001 SW Fifth Avenue, Suite 2000 Portland, OR 97204-1136	(503) 224-3092	<a href="mailto:cstokes@cablehuston.com">cstokes@cablehuston.com</a>
	Bradley Mullins		<a href="mailto:brmullins@mwanalytics.com">brmullins@mwanalytics.com</a>

**APPENDIX B  
PROCEDURAL SCHEDULE  
DOCKET UG-220198**

<b>EVENT</b>	<b>DATE</b>
Initial Filing	<b>March 24, 2022</b>
Prehearing Conference	<b>June 6, 2022</b>
Settlement Conference #1	<b>August 29, 2022</b>
Staff, Public Counsel, AWEC Response Testimony and Exhibits <sup>3</sup>	<b>September 16, 2022</b>
Settlement Conference #2	<b>September 30, 2022</b>
Cascade Rebuttal Testimony and Exhibits; Staff, Public Counsel, and AWEC Answering Testimony and Exhibits	<b>October 20, 2022</b>
Public Comment Hearing	<b>TBD</b>
Discovery Deadline – Last Day to Issue Data Requests	<b>November 2, 2022</b>
Cross-examination Exhibits, Witness Lists, Cross-examination Time Estimates, Exhibits Errata	<b>November 10, 2022</b>
Evidentiary Hearing	<b>November 17, 2022, at 9 a.m.</b>
Post-Hearing Briefs	<b>TBD</b>
Statutory Suspension Deadline	<b>March 1, 2022</b>

---

<sup>3</sup> Response time to data requests shortened to 7 business days after this date.