

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND)	
TRANSPORTATION COMMISSION,)	
)	DOCKET NO. UG-930511
Complainant,)	
)	FIFTH SUPPLEMENTAL ORDER
v.)	
)	COMMISSION ORDER MODIFYING
CASCADE NATURAL GAS CORPORATION,)	PROTECTIVE ORDER
)	
Respondent.)	
.)	

On May 17, 1994, Commission Staff and Public Counsel petitioned for modification of the protective order entered in this proceeding.¹ The case involved authorization for Cascade to enter a special contract for natural gas service to a refinery.

The petition asked that the order be modified to allow petitioners to retain all material designated as confidential under the protective order (as opposed to only exhibits that counsel are allowed to keep under the order's present terms) until resolution of ratemaking treatment of the special contract in Cascade's next general rate case.

The petition asks that petitioners' consultants be required to forward all confidential material to counsel, who could retain it, and that Commission Staff be allowed to retain the material in its possession.

Intervenor Tenaska Washington Partners, L.P., has responded that it has no objection to modification of the order as requested.

The Commission believes that the requested modification would simplify and reduce the expense of future potential litigation, protect the availability of materials from possible loss, and serve the public interest. It notes that neither the company nor the customer has voiced objection.

Therefore, the Commission will grant the petition and modify the protective order as requested. It believes that the retention period should not be indefinite, however. This order will provide for a four-year period from the date of this order, or longer as needed to conclude the company's next general rate case. If a case is not filed within that period, petitioners may ask a further extension.

¹As the protective order was an interim procedural order, rehearing is not necessary to support modification.

O R D E R

THE COMMISSION ORDERS That the protective order in this proceeding, the Second Supplemental Order, is modified to permit Commission Staff and Public Counsel to retain material designated as confidential for four years from the date of this order, to be extended if necessary to conclude the company's next general rate case.

DATED at Olympia, Washington, and effective this 15th day of July 1994.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION



SHARON L. NELSON, Chairman



RICHARD HEMSTAD, Commissioner