

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

TREE TOP, INC.,

Complainant,

v.

CASCADE NATURAL GAS CORP.,

Respondent.

DOCKET UG-210745

ORDER 04

SECOND PREHEARING
CONFERENCE ORDER

- 1 **NATURE OF PROCEEDING.** On September 24, 2021, Tree Top, Inc., (Tree Top) filed with the Washington Utilities and Transportation Commission (Commission) a formal complaint against Cascade Natural Gas Corporation (Cascade). The Complaint alleges that Cascade imposed an exorbitant overrun entitlement penalty on Tree Top that it asserts is not fair, just, or reasonable. On October 25, 2021, Cascade filed its Answer to the Complaint.
- 2 **CONFERENCE.** The Commission convened a second virtual prehearing conference on February 22, 2022, before Administrative Law Judge Andrew J. O’Connell.
- 3 **APPEARANCES.** Chad M. Stokes, of Cable Huston LLP, Portland, Oregon, represents Tree Top. Lisa Rackner and Jocelyn Pease, of McDowell Rackner & Gibson PC, represent Cascade.
- 4 **PROCEDURAL SCHEDULE.** The Parties presented an agreed procedural schedule at the prehearing conference, which establishes deadlines for testimony from each party, an initial settlement conference, an evidentiary hearing, and dates for legal briefs. The Commission adopts the Parties’ proposed procedural schedule with minor additions regarding deadlines for preparatory documents in anticipation of the evidentiary hearing. The schedule is attached to this Order as Appendix A.
- 5 **DISCOVERY, DOCUMENT FILING, AND SERVICE REQUIREMENTS.** All requirements issued in Order 01 of this Docket pertaining to discovery, document filing, and service remain in effect.

- 6 **EXHIBITS FOR CROSS-EXAMINATION.** Parties are required to file with the Commission and serve all proposed cross-examination exhibits by **5 p.m. on June 15, 2022**. The Commission requires electronic copies in searchable .pdf (adobe acrobat or comparable software). The exhibits must be grouped according to the witness the party intends to cross examine with the exhibits.
- 7 **EXHIBIT LISTS.** With each submission of prefiled 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. Each party must file and serve a final 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 by **5 p.m. on June 15, 2022**.
- 8 **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 judge (andrew.j.oconnell@utc.wa.gov) and the other parties by **5 p.m. on June 15, 2022**.
- 9 **NOTICE OF HEARING.** The Commission will hold a virtual evidentiary hearing in this docket via Zoom beginning on **June 22, 2022, at 9:30 a.m.** To participate by phone, call (253) 215 8782 and enter the Conference ID: 991 6381 9774# and use passcode 320139#. To participate via Zoom, use the following link: [Click here to join the meeting](#).
- 10 **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).
- 11 **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 Lacey, Washington, and effective March 8, 2021.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

/s/ *Andrew J. O'Connell*

ANDREW J. O'CONNELL
Administrative Law Judge

**APPENDIX A
PROCEDURAL SCHEDULE
DOCKET UG-210745**

EVENT	DATE
Second Virtual Prehearing Conference	February 22, 2022
Tree Top's Initial Testimony	April 8, 2022
Initial Settlement Conference	April 26, 2022
Cascade's Response Testimony	May 12, 2022
Tree Top's Reply Testimony	May 27, 2022
Exhibits List, Cross-Examination Exhibits, Witnesses List, Time Estimates	June 15, 2022
Evidentiary Hearing	June 22, 2022
Initial Briefs	July 13, 2022
Response Briefs	July 27, 2022