

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1654

In the Matter of

NORTHWEST NATURAL GAS
COMPANY, dba NW NATURAL,

Investigation of Interstate Storage and
Optimization Sharing.

RULING

DISPOSITION: MOTION TO COMPEL DENIED

On April 25, 2104 the Citizens' Utility Board of Oregon (CUB) filed a motion to compel Northwest Natural Gas Company, dba NW Natural, to respond to CUB's data requests regarding NW Natural's planned North Mist expansion project. On May 2, 2014 NW Natural filed a response to CUB's motion, objecting that the information requested was irrelevant to the issues being investigated in this docket. On May 9, 2014 CUB replied to NW Natural's response. I agree with NW Natural that CUB has failed to make a persuasive argument that the contested data requests will lead to the discovery of information relevant to the issues being addressed in this docket, and, on that basis, I deny CUB's motion to compel discovery.¹

The contested data requests seek information regarding NW Natural's North Mist expansion project, which is intended to serve Portland General Electric Company's proposed Port Westward II generating plant. NW Natural states that the planned North Mist expansion project is a new development that will not make any use of shared facilities, but will instead "be built specifically for PGE relying on assets that are entirely separate from existing facilities. Moreover, the project is intended to provide utility service to PGE. As such, the revenues from the North Mist service to PGE will be credited as utility revenues and will not be subject to the sharing frameworks that are under investigation in this docket."²

In response, CUB argues that this docket is an investigation into storage and optimization sharing, and any actions related to the expansion of NW Natural's storage facilities merit consideration, even if those actions are not fully realized at the time of the investigation or are under consideration in another docket. CUB notes NW Natural's recent Advice

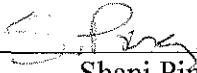
¹ See ORCP 36B, providing that parties may inquire regarding any non-privileged matter relevant to the claim of the party seeking discovery, and that "[i]t is not ground for objection that the information sought will be inadmissible at the trial if the information sought appears reasonably calculated to lead to the discovery of admissible evidence."

² NW Natural's Response at 4.

Filing No. 14-7 pertains to two new tariff schedules that directly address the information that CUB seeks here, and that the implications of the advice filing are directly relevant to customer sharing percentages.

I agree with CUB that proceedings concerning uncompleted projects in other dockets may be relevant to discovery in a current docket. However, in this case, I find CUB's arguments tying Advice Filing No. 14-7 to the issues being addressed in this docket to be unpersuasive. NW Natural states that the planned North Mist expansion project will not use any shared facilities, and will not be subject to the sharing frameworks under investigation here. On that basis, I deny CUB's motion to compel discovery.

Dated this 20th day of May, 2014, at Salem, Oregon.



Shani Pines
Administrative Law Judge