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February 15, 2007

# VIA ELECTRONIC FILING & FIRST CLASS MAIL

Oregon Public Utility Commission Attn: Filing Center 550 Capitol Street, N.E., #215 P.O. Box 2148 Salem, Oregon 97308-2148

RE:

In the Matter of Public Utility Commission of Oregon Staff Request to Open an Investigation into the Earnings of Cascade Natural Gas Docket No. UG-173

Dear Filing Center:

Enclosed please find an original and one copy of the Joint Motion of NWIGU and CUB to Amend the Procedural Schedule in the above-referenced docket.

This was filed electronically with the OPUC on this date, and will be served both electronically and by U.S. Mail on those parties listed on the OPUC's current Service List.

Thank you for your assistance.

Respectfully submitted,

Edward A. Finklea

EAF/tr

cc: Current Service List

#### BEFORE THE PUBLIC UTILITY COMMISSION

#### OF OREGON

#### UG 173

| In the Matter of   | )   |
|--|---|
| PUBLIC UTILITY COMMISSION OF OREGON  | ) ) JOINT MOTION OF NORTHWEST ) INDUSTRIAL GAS USERS AND ) CITIZENS' UTILITY BOARD TO ) AMEND PROCEDURAL SCHEDULE ) |
| Staff Request to Open an Investigation into the Earnings of Cascade Natural Gas. |   |
|  | )   |

The Northwest Industrial Gas Users ("NWIGU") and the Citizens' Utility Board ("CUB") jointly move to amend the procedural schedule in the above-captioned proceeding. Under the current schedule the Oregon Public Utility Commission ("OPUC") Staff and Intervenors are scheduled to file testimony in this Show Cause proceeding on February 15, 2007.

NWIGU and CUB are intervenors in this proceeding. This is a unique proceeding, as the OPUC Staff is the first party to file through its filing on February 15, 2007 a case in chief regarding the proper level of Cascade Natural Gas Corporation's ("Cascade") rates for local gas distribution service in its Oregon service territory. NWIGU and CUB are not in a position, at this time, to file testimony.

Cub request an opportunity to file testimony after OPUC Staff and Cascade each have filed their opening testimony, setting forth their initial positions on the ratemaking issues in dispute in this proceeding. To accommodate their joint request, NWIGU and Cub understand that provision must be made in the schedule for Cascade and the OPUC Staff to respond to the evidence provided by NWIGU and Cub. Under the current schedule OPUC Staff has the last opportunity

to submit evidence, in recognition of the fact the OPUC Staff has the burden of proof in this Show Cause proceeding. NWIGU and CUB should logically submit their evidence after both OPUC Staff and Cascade have submitted their initial evidence. Cascade would then need to have an opportunity to respond to NWIGU and CUB. An amendment to the current procedural schedule would thus facilitate the logical presentation of evidence in this case.

NWIGU and CUB therefore recommend that the schedule be amended as follows:

- (1) To provide a date for CUB and NWIGU to file testimony, at some point following the filing of Staff's direct case and Cascade's responsive testimony; and
- (2) To provide for a date after CUB and NWIGU make their filings for Cascade to file testimony replying to this intervenor testimony. CUB and NWIGU suggest a date between the date established for intervenors to file testimony and the date when OPUC Staff will file its rebuttal testimony. OPUC Staff would have an opportunity in its rebuttal testimony to respond to the testimony of both Cascade and the intervenors.

Counsel for NWIGU and CUB have conferred with counsel for OPUC Staff and Cascade.

The following dates are proposed to accommodate all parties:

| April 16, 2007 | Cascade Files Direct Testimony (Rebuttal to OPUC Staff Direct) |
|----------------|--|
| May 4, 2007    | Intervenors NWIGU and CUB File Direct                          |
| May 25, 2007   | Cascade Files Rebuttal to Intervenor Direct                    |
| June 15, 2007  | OPUC Staff Files Rubuttal                                      |
| July 2, 2007   | Hearing  |

Counsel for CUB and NWIGU are authorized to represent that OPUC Staff and Cascade support the requested amendment to the procedural schedule. All parties would support the conveying of a brief procedural conference to amend the procedural order and adopt the foregoing dates for the additional rounds of testimony in this proceeding, or such other schedule as may be necessary.

Dated: February 15, 2007.

Respectfully submitted,

Edward A. Finklea, OSB # 842163

Cable Huston Benedict Haagensen & Lloyd LLP

Of Attorneys for the

Northwest Industrial Gas Users

Jason Eisdorfer, OSB # 922925

Of Attorneys for Citizens' Utility Board of Oregon

### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I caused to be served the foregoing JOINT MOTION OF

NWIGU AND CUB TO AMEND PROCEDURAL SCHEDULE upon all parties via

electronic mail and/or prepaid First Class Mail on the attached Service Lists obtained on this date from the Oregon Public Utility Commission's Website as follows:

## **UG-173 SERVICE LIST**

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DATED this 15th day of February, 2007.

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