

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

DR 23

In The Matter of )  
 )  
NORTHWEST NATURAL GAS )  
COMPANY, d/b/a NW NATURAL, )  
 )  
Petition for a Declaratory Ruling )  
Regarding Whether Joint Bypass By Two )  
Or More Industrial Customers Violates )  
ORS 758.400 Et Seq. )

ORDER

**DISPOSITION: PETITION WITHDRAWN; DOCKET CLOSED**

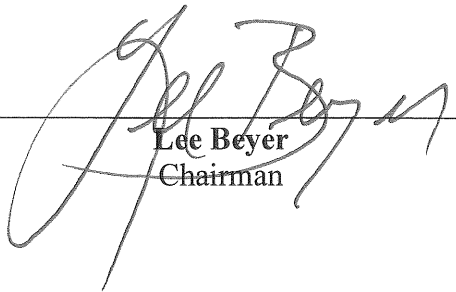
On March 19, 1999, Northwest Natural Gas Company (NW Natural) filed a petition for a declaratory ruling to clarify whether joint bypass by two or more industrial customers violated territorial allocation statutes. *See* ORS 758.400-758.475. After extended proceedings and multiple appeals, the Oregon Court of Appeals issued a decision that interpreted the statutes in question and remanded the case to the Commission for further proceedings. *See Northwest Natural Gas Co. v. PUC*, 195 Or App 547 (2004). NW Natural now withdraws its petition in light of a settlement among the parties, stating that the Court of Appeals decision “satisf[ies] the need for declaratory relief,” and that no further proceedings are needed.

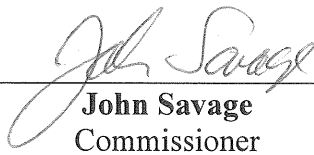
The Commission has permitted the withdrawal of a complaint, even in extended dockets, if further proceedings are no longer necessary. *See* Order No. 04-653. Because the petition has been withdrawn, the docket should be closed.

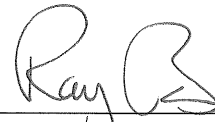
**ORDER**

IT IS ORDERED that the docket is closed.

Made, entered, and effective JAN 30 2006.

  
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**Lee Beyer**  
Chairman

  
\_\_\_\_\_  
**John Savage**  
Commissioner

  
\_\_\_\_\_  
**Ray Baum**  
Commissioner



A party may request rehearing or reconsideration of this order pursuant to ORS 756.561. A request for rehearing or reconsideration must be filed with the Commission within 60 days of the date of service of this order. The request must comply with the requirements in OAR 860-014-0095. A copy of any such request must also be served on each party to the proceeding as provided by OAR 860-013-0070(2). A party may appeal this order by filing a petition for review with the Court of Appeals in compliance with ORS 183.480-183.484.