

October 12, 2009

**NOTICE OF BENCH REQUESTS
(Due by Wednesday, October 14, 2009)**

RE: *WUTC v. Avista Corporation – General Rate Case*
Dockets UE-090134, UG-090135, and UG-060518 (*consolidated*)

TO ALL PARTIES:

The following bench requests (BRs) are directed to all parties, although the latter (BR 13) is directed primarily to Avista Corporation (Avista or Company).

The Washington Legislature established the Greenhouse Gases Emissions Performance Standards (EPS) in Revised Code of Washington (RCW) 80.80 (as amended in 2009). The Washington Utilities and Transportation Commission (UTC) implemented this law in rules, to wit: Chapter 480-100 of the Washington Administrative Code (WAC).

Bench Request No. 12: Does RCW 80.80 and WAC 480-100-405 and -415 apply to the Lancaster Power Purchase Agreement (PPA)? Why or why not?

At hearing on Friday, October 9, 2009, Mr. Kelly O. Norwood indicated that the Company was requesting a determination in this proceeding regarding whether the Lancaster PPA complies with the requirements of RCW 80.80 and WAC 480-100.

Bench Request No. 13: What, if any, evidence has the Company previously provided in this record to support its request for a greenhouse gas compliance determination?

Thank you for your attention to these areas of concern.

Sincerely,

ADAM E. TOREM
Administrative Law Judge

cc: All Parties