

BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION,

Complainant,

v.

AVISTA CORPORATION,

Respondent

DOCKETS UE-240006 & UG-240007
(Consolidated)

COMMISSION STAFF'S MOTION
FOR LEAVE TO FILE REVISED
TESTIMONY OF JOHN D. WILSON

I. INTRODUCTION

1 Pursuant to WAC 480-07-375(1)(d) and 480-07-460(a)(1)(i), Commission Staff respectfully requests leave to revise its response testimony originally filed on July 3, 2024, with the Revised Testimony of John D. Wilson.

II. FACTUAL BACKGROUND

2 On January 18, 2024, Avista Corporation (hereinafter Avista or Company) filed with the Utilities and Transportation Commission (Commission) a General Rate Case (GRC) seeking authorization to increase the rates it charges to its electric and natural gas customers.¹ In support of this filing, Avista filed testimony and exhibits from multiple Company witnesses. The matter was suspended for adjudication and two filings (electric and natural gas) were consolidated.²

3 In the prehearing conference order, Administrative Law Judge Brown set out the procedural schedule for this matter, including dates for when Commission Staff (Staff) and other parties must file response, cross-answering, and rebuttal testimony.³ Pursuant to that schedule,

¹ *Wash. Utils & Transp. Comm'n v. Avista Corp.*, Dockets 240006 & 240007, Order 01, ¶ 1 (Feb. 27, 2024).

² *Wash. Utils & Transp. Comm'n v. Avista Corp.*, Dockets 240006 & 240007, Order 01, ¶¶ 18-24 (Feb. 27, 2024).

³ *Wash. Utils & Transp. Comm'n v. Avista Corp.*, Dockets 240006 & 240007, Order 02, Appendix A (Feb. 27, 2024).

Staff filed its response testimony and accompanying exhibits on July 3, 2024.⁴ Since filing its testimony, Staff realized there was a formula error in a work paper that resulted in a miscalculation, found at JDW-1TC at 38:21. In the testimony as filed, it is stated that “Avista . . . averaged about \$1 million per year in non-energy charges”⁵ After correcting the formula error, the corrected line reads “Avista . . . averaged about \$1.4 million per year in non-energy **benefits**”⁶ The error in question was discovered on July 19, 2024. Staff brings this present motion to correct the error, and file errata of Staff witness Wilson’s testimony.

III. COMMISSION STAFF’S MOTION

4 Under WAC 480-07-460(1)(a)(i), a party may submit substantive revisions to prefiled testimony or exhibits only after receiving leave from the presiding officer. WAC 480-07-460(1)(b) requires that a party submit a motion for revised or supplemental testimony as soon as practicable after discovering the need for such revision or supplementation.⁷ In considering such motions, the Commission has generally examined the timing of such motions, the prejudice to any other parties, and whether accepting such testimony will disrupt the procedural schedule of the case.⁸

5 Leave to amend is warranted here. Staff’s proposed errata contains a substantive change, as the formula error resulted in a material change to a calculation. Staff discovered this error only recently and is promptly bringing this motion to correct the record so it is more accurate and informative for Commission review. The errata will not prejudice any party in its review of response testimony. Indeed, while the number produced from the corrected formula is different,

⁴ *Wash. Utils & Transp. Comm’n v. Avista Corp.*, Dockets 240006 & 240007, Order 02, Appendix A (Feb. 27, 2024).

⁵ JDW-1TC at 38:21.

⁶ JDW-1TC at 38:21.

⁷ Though the WAC only lists supplemental or revised exhibits as requiring such haste, the Commission has generally treated this rule as applying to all motions for supplemental or revised testimony. *See, e.g., WUTC v. Cascade Natural Gas Corp.*, Docket UG-210755, Order 04 at ¶ 6 (Dec. 17, 2021).

⁸ *Id.* at ¶ 7.

it is not so different as to result in a complete change of opinion. Staff's recommendation remains the same. Additionally, the next round of testimony is not due for another three weeks, giving parties ample time to review the change and issue DRs as they see fit. Consequently, the errata will also not impact the procedural schedule as Staff is not requesting any shifting of deadlines, and this errata is being filed well before testimony is due, meaning other parties still have the opportunity to ask questions and explore this calculation in cross-answering or rebuttal testimony.

6 Permitting the admission of this errata is in the public interest because it provides a more accurate and complete record before the Commissioners. The current version of Staff's testimony from witness Wilson contains an error resulting from a simple formula issue. The public interest leans in favor of correcting this so that the Commissioners may conduct a thorough examination of the record before them and be certain that the decision they make is based on upon the foundation of correct and well-vetted evidence.

IV. CONCLUSION

7 For the reasons listed above, Staff respectfully requests that the Commission grant its motion for leave to file the Revised Testimony of John D. Wilson and have such testimony be treated in the same manner of as the rest of Staff's prefiled testimony in this proceeding.

DATED this 23rd day of July 2024.

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