



ATTORNEY GENERAL OF WASHINGTON

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January 16, 2013

SENT VIA E-MAIL AND ABC LMI

David Danner
Executive Director and Secretary
Washington Utilities & Transportation Commission
1300 S. Evergreen Pk. Dr. S.W.
PO Box 47250
Olympia, WA 98504-7250

Re: *Washington Utilities and Transportation Commission v. Avista Corporation, d/b/a Avista Utilities*, Dockets UE-120436 and UG-120437, and Dockets UE-110876 and UG-110877 (Second Phase) (*Consolidated*)

Dear Mr. Danner:

Enclosed for filing please find the original and two copies of Public Counsel's Revised Response to Bench Request/Bench Exhibit 9, together with a Certificate of Service, for filing in the above-referenced dockets.

Sincerely,

LISA W. GAFKEN
Assistant Attorney General
Public Counsel Division
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LWG:cjw
Enclosures

cc: Service List (U.S. Mail & E-mail)
ALJ Marguerite E. Friedlander (E-mail only)

**BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION
COMMISSION**

**AVISTA GRC 2012
Dockets UE-120436 & UG-120437 and
AVISTA GRC 2011
Dockets UE-110876 & UG-110877**

Public Counsel's REVISED Response to Bench Request / Bench Exhibit No. 9

Bench Request / Bench Exhibit No. 9:

Commissioner Jones requested an academic or think tank study countering the criticism of the ISS peer group cited in Mr. Norwood's testimony, Exhibit KON-7T at 30:7-12, and referred to by Ms. Feltes during her testimony at the November 29, 2012, hearing.¹

REVISED RESPONSE:

Per the Commission's Order 08/Order 13,² the response is revised as follows:

.... However, Public Counsel was not able to find an academic study which focuses solely on the ISS peer group, as requested by the Bench Request.

¹ Feltes, TR. 346:4-8; Commissioner Jones's request, TR. 347:13 – 348:4.

² "The Commission grants Staff's Motion to Strike. The Commission strikes from the record all of Public Counsel's Response to Bench Request No. 9 after the following sentence: 'However, Public Counsel was not able to find an academic study which focuses solely on the ISS peer group, as requested by the Bench Request.'" Order 08 / Order 13, Order Granting Motion to Strike Portions of Public Counsel's Response to Bench Request No. 9, Paragraph 7 (December 18, 2012).

CERTIFICATE OF SERVICE
Dockets UE-120436, et. al

I hereby certify that a true and correct copy of Public Counsel Revised Response to Bench Request/Bench Exhibit No. 9 was sent to each of the parties of record shown below in sealed envelopes, via: U.S. Mail and E-Mail.

SERVICE LIST

**** = Receive Highly Confidential; * = Receive Confidential; NC = Receive Non-Confidential**

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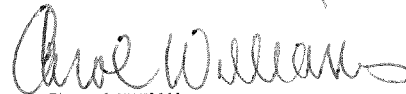
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DATED: January 16, 2013.


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