

Service Date: March 27, 2019



STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION
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March 27, 2019

Michael Bell
Treasurer – NWCPC
2909 S. Howard Street
Spokane, WA 99203-1747

Re: *Letter of March 18, 2019, Requesting Intervenor Status*

Dear Mr. Bell:

I am responding on behalf of the Commission to your letter dated March 18, 2019, which I have attached to this response. We appreciate the Northwest Citizen's Power Coalition's (NWCPC) interest in Commission proceedings, but are unable to grant your request for intervenor status in all future proceedings involving Avista Corporation. The Commission does not accept petitions to intervene until a notice of prehearing conference has issued in a given proceeding, and petitions are granted on a case-by-case basis. Even parties that are routinely granted intervenor status must re-petition to intervene in each proceeding. Accordingly, NWCPC may petition to intervene in any proceeding pursuant to the Commission's procedural rules in chapter 480-07 of the Washington Administrative Code, which are attached to this letter for your reference.

Commission rules provide that a person should file a written petition to intervene at least three business days before the initial hearing or prehearing conference. The Commission provides public notice of such hearings with sufficient time to accommodate the filing of petitions to intervene.

To ensure you are aware of all relevant filings, I encourage you to explore the Commission's website at www.utc.wa.gov. The Commission maintains a weekly report of new filings that is updated and posted every Tuesday. This report, entitled "Filings Opened," reflects items filed with the Commission or actions initiated by the Commission in the preceding week. You may view this report on our website or request to have it emailed to you weekly by contacting the Commission's Records Center at records@utc.wa.gov.

In addition, the agenda for the Commission's Open Meeting is available several days in advance of the meeting on the Commission's website. If you would like to regularly receive the agenda, please contact the Commission's Records Center. Again, thank you for your interest in Commission proceedings.

Sincerely,

MARK L. JOHNSON
Executive Director and Secretary

Enclosures
CC: All parties in Docket U-170970

WAC 480-07-355**Parties—Intervention.****(1) Petition to intervene.**

(a) *Who may petition; when petitions must be filed.* The commission strongly prefers written petitions to intervene from any person who seeks to appear and participate as a party in a proceeding before the commission other than the original parties, commission staff, and public counsel. Written petitions to intervene should be filed at least three business days before the initial hearing date or prehearing conference date, whichever occurs first. A person may petition orally for leave to intervene at the time of the initial hearing or prehearing conference, whichever occurs first, unless the commission requires written petitions to intervene in a notice prior to the first hearing or prehearing date.

(b) *Late-filed petition to intervene.* The commission may grant a petition to intervene made after the initial hearing or prehearing conference, whichever occurs first, only on a showing of good cause, including a satisfactory explanation of why the person did not timely file a petition to intervene.

(c) *Contents of petition.* Any petition to intervene must disclose:

(i) The petitioner's name and contact information as specified in WAC 480-07-360(3);

(ii) The petitioner's interest in the proceeding;

(iii) The petitioner's position with respect to the matters in controversy;

(iv) Whether the petitioner proposes to broaden the issues in the proceeding and, if so, a statement of the proposed issues that clearly and concisely sets forth the basis for the petitioner's proposal to broaden the issues; and

(v) The name and contact information as specified in WAC 480-07-360(3) of the persons the petitioner has authorized to act as the petitioner's representatives, including attorneys, if any.

(2) **Response.** Parties may respond to any petition to intervene. Responses may be written or may be heard orally at the prehearing conference or hearing at which the commission considers the petition. A party's written response to a timely filed written petition to intervene should be filed and served at least two business days before the prehearing conference or hearing at which the commission will consider the petition, or at such other time as the commission may establish by notice.

(3) **Disposition of petitions to intervene.** The commission generally will consider petitions to intervene at the prehearing conference or at the initial hearing if the commission does not conduct a prehearing conference. The presiding officer may grant a petition to intervene if the petitioner has a substantial interest in the subject matter of the hearing or if the petitioner's participation is in the public interest. If the commission grants intervention, the petitioner becomes a party to the proceeding as an intervenor. The presiding officer may impose limits on an intervenor's participation in accordance with RCW 34.05.443(2).

(4) **Dismissal of intervenor.** The commission may dismiss an intervenor from a proceeding at any time after notice and a reasonable opportunity to be heard if the commission determines that the intervenor has no substantial interest in the proceeding and the public interest will not be served by the intervenor's continued participation.

(5) **Interlocutory review by commission.** The commission may review a decision regarding a petition to intervene or dismissal of an intervenor pursuant to WAC 480-07-810.