

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Request of	DOCKET UE-200307
AVISTA CORPORATION, d/b/a Avista Utilities,	ORDER 01
Petitioner,	GRANTING LESS THAN STATUTORY NOTICE; ALLOWING TARIFF REVISIONS
For Less Than Statutory Notice in Connection with Tariff Revisions	

BACKGROUND

- 1 On April 2, 2020, Avista Corporation, d/b/a Avista Utilities, (Avista or Company) filed with the Washington Utilities and Transportation Commission (Commission) revisions to its currently effective Tariff WN U-28, designated as Fourth Revision Sheet 92A. The purpose of this filing is to incorporate temporary modifications to the Company's Low-Income Rate Assistance Program that mitigate the economic impact of the COVID-19 pandemic. The temporary modifications include (1) offering hardship grants of up to \$350 for residential customers experiencing difficulty paying their bill, (2) suspension of certain LIRAP Emergency Share guidelines that otherwise would prohibit a customer from receiving more than one grant per program year, and (3) replacing the three-month income verification requirement for Avista's Low Income Rate Assistance Program (LIRAP) with a one-month income verification requirement, allowing the Company to provide assistance more quickly to customers experiencing a sudden loss of income. The filing also removes the Company's existing Income Based Payment Plan and Balance Management Arrangement Pilots from its tariff because both have expired.

- 2 RCW 80.28.060 and WAC 480-80-121 require public service companies to provide 30 days' notice to the Commission prior to the proposed effective date of any tariff filing. The tariff sheets bear an effective date of May 2, 2020, which recognizes the required 30-day statutory notice. The Company, however, requests less than statutory notice as permitted by WAC 480-80-122, which would allow the revisions to become effective on April 13, 2020. Avista requests that the revisions become effective with less than statutory notice to allow the Company to provide immediate assistance to customers experiencing a loss of income due to the COVID-19 pandemic and Governor

Proclamations related to social distancing that impact employment, education, and childcare.¹

3 Similarly, WAC 480-100-194 requires 30 days' notice to customers. For the same reason Avista seeks less than statutory notice, the Company seeks an exemption from the notice requirements in WAC 480-100-194. Avista proposes to notify customers by email; via its website and other communication channels, such as broadcasts and social media; and via telephone when customers contact Avista regarding payment arrangements.

4 Commission staff (Staff) has reviewed the proposed tariff revisions and believes they are reasonable. The filing is supported by a broad coalition of stakeholders including The Energy Project, the Public Counsel Unit of the Attorney General's Office, Staff, and the community action agencies that administer Avista's low-income programs. The revisions are urgent and necessary to respond to the significant economic impacts of the COVID-19 pandemic and the related Governor Proclamations.

5 Staff believes that allowing the proposed tariff revisions to become effective with less than statutory notice is reasonable and consistent with the public interest. Staff recommends the Commission grant Avista's request to allow the proposed tariff revisions to go into effect with less than statutory notice on April 13, 2020.

DISCUSSION

6 We agree with Staff that the proposed revisions, which were filed in response to an emergency situation that has the potential to leave many of Avista's suddenly vulnerable customers unable to pay their bills, are decidedly in the public interest.

7 We also grant the Company's request for less than statutory notice. Pursuant to RCW 80.28.060 and WAC 480-80-122, the Commission may allow tariff changes, for good cause shown, without requiring 30 days' notice by order specifying the changes to be made and the time when the Order shall take effect. Here, we find that the COVID-19 pandemic and the associated issues that could leave customers unable to pay their electricity bills during a state of emergency unequivocally constitutes good cause to permit the tariff revisions to become effective on less than statutory notice to both the Commission and the Company's customers. Accordingly, we grant Avista's request for exemptions from the notice requirements in WAC 480-80-121 and WAC 480-100-194

¹ See Proclamation of the Governor Amending Proclamation 20-05; 20-25 Stay Home – Stay Healthy (Mar. 23, 2020).

and allow the tariff revisions to become effective on less than statutory notice.

FINDINGS AND CONCLUSIONS

- 8 (1) The Commission is an agency of the State of Washington vested by statute with the authority to regulate the rates, regulations, practices, accounts, securities, transfers of property and affiliated interests of public service companies, including electric companies.
- 9 (2) Avista is an electric company and a public service company subject to Commission jurisdiction.
- 10 (3) This matter came before the Commission at its regularly scheduled meeting on April 10, 2020.
- 11 (4) Staff has reviewed Avista's request in Docket UE-200307 and recommends the Commission approve the proposed tariff revisions. Staff further recommends the Commission grant the Company's request for less than statutory notice to the Commission and to customers.
- 12 (5) Avista is subject to RCW 80.28.060, WAC 480-80-121, and WAC 480-100-194, which require electric companies to file changes in any rate, charge or service with 30 days' notice to the Commission and its customers. For good cause shown, however, the Commission may allow changes without requiring 30 days' notice by order specifying the changes to be made and the time when the Order shall take effect.²
- 13 (6) Based on the COVID-19 pandemic and resulting state of emergency, the Commission finds good cause to allow the tariff revisions filed by Avista Corporation April 2, 2020, to become effective with less than statutory notice on April 13, 2020. The Commission also finds Avista Corporation should be granted an exemption from the customer notice requirements in WAC 480-100-194.

² WAC 480-80-122.

ORDER

THE COMMISSION ORDERS:

- 14 (1) Avista Corporation, d/b/a Avista Utilities' request for less than statutory notice is granted.
- 15 (2) Avista Corporation, d/b/a Avista Utilities' request for an exemption from WAC 480-100-194 is granted.
- 16 (3) Avista Corporation, d/b/a Avista Utilities, is directed to file a revised tariff page with an effective date of April 13, 2020.³
- 17 (4) The tariff revisions filed by Avista Corporation, d/b/a Avista Utilities, on April 2, 2020, will become effective on April 13, 2020.
- 18 The Commissioners, having determined this Order to be consistent with the public interest, directed the Secretary to enter this Order.

DATED at Lacey, Washington, and effective April 10, 2020.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARK L. JOHNSON
Executive Director and Secretary

³ WAC 480-80-121(3).