

**BEFORE THE WASHINGTON STATE  
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND	)	DOCKET UE-090134
TRANSPORTATION	)	
COMMISSION,	)	DOCKET UG-090135
	)	
Complainant,	)	ORDER 01
	)	
v.	)	
	)	COMPLAINT AND ORDER
AVISTA CORPORATION d/b/a	)	SUSPENDING TARIFF REVISIONS
AVISTA UTILITIES,	)	AND ORDER OF
	)	CONSOLIDATION
Respondent.	)	
	)	
.....	)	

**BACKGROUND**

- 1 On January 23, 2009, 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, Electric Service in Docket UE-090134, and revisions to its currently effective Tariff WN U-29, Gas Service in Docket UG-090135, as listed in the appendix attached to this Order. The stated effective date of the proposed tariff revisions is February 23, 2009. The purpose of the filings is to increase the Company’s rates and charges for its electric service and natural gas service to customers in Washington. The Company requests an electric rate increase of \$69.8 million, or 16.0 percent, and a gas rate increase of \$4.9 million, or 2.4 percent. Avista also proposes to decrease the current Energy Recovery Mechanism surcharge by \$32.4 million, or 7.4 percent, for an overall net increase of 8.6 percent.
  
- 2 Avista requests expedited entry of a Commission complaint and order suspending the tariff pages filed on January 23, 2009.

3 The Commission finds that the filings would increase charges and rates for service  
provided by Avista. Because these increases might injuriously affect the rights and  
interests of the public and Avista has not demonstrated that the increases would result  
in rates that are fair, just and reasonable, the Commission suspends the tariff filings  
and will hold public hearings if necessary to determine whether the proposed  
increases are fair, just and reasonable.

4 Avista asked that discovery be authorized. The matter is one that qualifies for  
discovery, and the discovery rules, WAC 480-07-400 through 425, are invoked. The  
Commission urges the parties to work cooperatively together to avoid having to bring  
discovery disagreements forward for formal resolution.

5 The matters in the two dockets appear to involve related facts and principles of law.  
It is appropriate that they be consolidated for hearing and determination pursuant to  
WAC 480-07-320.

### FINDINGS AND CONCLUSIONS

6 (1) The Washington Utilities and Transportation Commission is an agency of the  
State of Washington vested by statute with the authority to regulate rates,  
regulations, practices, accounts, securities, and transfers of public service  
companies, including electric companies. *RCW 80.01.040, RCW 80.04,*  
*RCW 80.28, RCW 80.08 and RCW 80.12.*

7 (2) Avista is an electric company and a gas company and is a public service  
company subject to Commission jurisdiction.

8 (3) The tariff revisions Avista filed on January 23, 2009, would increase charges  
and rates for service the Company provides, and might injuriously affect the  
rights and interests of the public.

9 (4) Avista has not yet demonstrated that the tariff revisions would result in rates  
that are fair, just, reasonable and sufficient.

- 10 (5) In order to carry out the duties imposed upon the Commission by law, and as authorized in RCW 80.20.020, the Commission believes it is necessary to investigate Avista's books, accounts, practices and activities; to make a valuation or appraisal of Avista's property; and to investigate and appraise various phases of Avista's operations.
- 11 (6) Avista may be required to pay the expenses reasonably attributable and allocable to such an investigation, consistent with RCW 80.20.
- 12 (7) As required by RCW 80.04.130 (4), Avista bears the burden of proof to show that the proposed increases are fair, just and reasonable.

**ORDER**

**THE COMMISSION ORDERS:**

- 13 (1) The tariff revisions Avista Corporation d/b/a Avista Utilities filed on January 23, 2009, in Dockets UE-090134 and UG-090135 are suspended.
- 14 (2) Dockets UE-090134 and UG-090135 are consolidated for hearing and determination under WAC 480-07-320.
- 15 (3) These matters qualify for discovery, and the discovery rules, WAC 480-07-400 through 425, are invoked.
- 16 (4) The Commission will hold hearings at such times and places as may be required.
- 17 (5) Avista Corporation d/b/a Avista Utilities must not change or alter the tariffs filed in these dockets during the suspension period, unless authorized by the Commission.
- 18 (6) The Commission will institute an investigation of Avista Corporation d/b/a Avista Utilities's books, accounts, practices, activities, property and operations as described above.

- 19 (7) Avista Corporation shall pay the expenses reasonably attributable and allocable to the Commission's investigation, consistent with RCW 80.20.

DATED at Olympia, Washington, and effective February 3, 2009.

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

MARK H. SIDRAN, Chairman

PATRICK J. OSHIE, Commissioner

PHILIP B. JONES, Commissioner

**Appendix**

**WN U-28:**

7 <sup>th</sup> Revised	Sheet No. 1	Residential Service – Washington
7 <sup>th</sup> Revised	Sheet No. 11	General Service – Washington
7 <sup>th</sup> Revised	Sheet No. 21	Large General Service – Washington
7 <sup>th</sup> Revised	Sheet No. 25	Extra Large General Service – Washington
4 <sup>th</sup> Revised	Sheet No. 25A	Extra Large General Service – Washington
7 <sup>th</sup> Revised	Sheet No. 31	Pumping Service – Washington
6 <sup>th</sup> Revised	Sheet No. 41	Company Owned Street Light Service - Washington
6 <sup>th</sup> Revised	Sheet No. 42	Company Owned Street Light Service - Washington
6 <sup>th</sup> Revised	Sheet No. 44	Customer Owned Street Light Energy and Maintenance Service - Washington
7 <sup>th</sup> Revised	Sheet No. 45	Customer Owned Street Light Energy Service - Washington
7 <sup>th</sup> Revised	Sheet No. 46	Customer Owned Street Light Energy Service - Washington
6 <sup>th</sup> Revised	Sheet No. 47	Area Lighting – Mercury Vapor - Washington
7 <sup>th</sup> Revised	Sheet No. 47A	Area Lighting – Mercury Vapor – Washington - continued

**WN U-29:**

7 <sup>th</sup> Revised	Sheet No. 101	General Service – Firm – Washington
7 <sup>th</sup> Revised	Sheet No. 111	Large General Service – Firm – Washington
7 <sup>th</sup> Revised	Sheet No. 112	Large General Service – Firm – Washington
7 <sup>th</sup> Revised	Sheet No. 121	High Annual Load Factor Large General Service – Firm – Washington
7 <sup>th</sup> Revised	Sheet No. 122	High Annual Load Factor Large General Service – Firm - Washington
7 <sup>th</sup> Revised	Sheet No. 131	Interruptible Service – Washington
7 <sup>th</sup> Revised	Sheet No. 132	Interruptible Service – Washington
7 <sup>th</sup> Revised	Sheet No. 146	Transportation Service For Customer-Owned Gas – Washington
15 <sup>th</sup> Revised	Sheet No. 156	Purchase Gas Cost Adjustment - Washington