

Thank you for your inquiry.

I propose that parties present prehearing briefs on Dec. 4 at the prehearing conference, and conclude the hearing with oral argument as needed to supplement the briefs. No schedule options appear to be ideal. Comments are invited -- I will ask Ms. Walker or Ms. Kaech to schedule another telephone conference.

Bob Wallis

"Nancy Glaser" <nglaser@nwenergy.org>

11/15/2006 06:55 PM

Please respond to
nglaser@nwenergy.org

To

"ffitch, Simon \(ATG\)" <SimonF@ATG.WA.GOV>,
"Bob Wallis" <bwallis@wutc.wa.gov>

cc

"Hon. Robert Wallis" <BobW@wutc.wa.gov>,
chuck_eberdt@opportunitycouncil.org, "Meyer, David"
<David.Meyer@avistacorp.com>, efinklea@chbh.com,
"Greg Trautman" <gtrautma@wutc.wa.gov>,
gtrautman@wutc.wa.gov, nglaser@nwenergy.org,
ronaldroseman@comcast.net, "Johnson, Steven
\(ATG\)" <StevenJ@ATG.WA.GOV>, "Records Center
WUTC" <records@wutc.wa.gov>

Subject

Re: Avista Decoupling UG-060518 revised schedule

Judge Wallis et al - - I didn't see a response to Public Counsel's November 6 request. Judge Wallis, I would appreciate a status report at your convenience. Thank you in advance. Nancy

>-----Original Message-----

>From: ffitch, Simon \(ATG\) [mailto:SimonF@ATG.WA.GOV]

>Sent: Monday, November 6, 2006 03:56 PM

>To: 'Bob Wallis'

>Cc: 'Hon. Robert Wallis', chuck_eberdt@opportunitycouncil.org, 'Meyer, David',

>efinklea@chbh.com, 'Greg Trautman', gtrautman@wutc.wa.gov, nglaser@nwenergy.org,

>ronaldroseman@comcast.net, 'Johnson, Steven \(ATG\)', 'Records Center WUTC'

>Subject: RE: Avista Decoupling UG-060518 revised schedule

>

>Judge Wallis:

>

>Thank you for your response your honor. We would support the adoption
>of a briefing outline prior to the hearing, however, Public Counsel
>would recommend post-hearing rather than pre-hearing briefs, given that
>the rebuttal testimony comes in only one week before hearing and time
>will already be tight for hearing preparation. We would request a
>slightly longer period than December 7 post-hearing. It would be
>difficult for parties to prepare a quality product in two days, and the
>transcript is unlikely to be available so soon. Public Counsel would
>request that briefs be due no sooner than one week after hearing, on
>December 12.

>

>Simon ffitc

>Assistant Attorney General, Section Chief

>Public Counsel

>Washington Attorney General

>800 Fifth Avenue, Suite 2000

>Seattle Washington 98104-3188

>

>Office: (206) 389-2055

>FAX: (206) 389-2079

>Email: simonf@atg.wa.gov

>

>-----Original Message-----

>From: Bob Wallis [mailto:bwallis@wutc.wa.gov]

>Sent: Monday, November 06, 2006 3:08 PM

>To: ffitc, Simon (ATG)

>Cc: Hon. Robert Wallis; chuck_eberdt@opportunitycouncil.org; Meyer,

>David; efinklea@chbh.com; Greg Trautman; gtrautman@wutc.wa.gov;

>nglaser@nwenergy.org; ronaldroseman@comcast.net; Johnson, Steven (ATG)

>Subject: Re: Avista Decoupling UG-060518 revised schedule

>

>

>Thank you, Mr. ffitc. My recollection is apparently in error. Given

>the

>timing of the proceeding, I think it would be better to set a date for

>briefs that could be cancelled if necessary. Given the limited time for

>the hearing and the likely narrow range of issues, it should be feasible

>to

>outline a brief and before the hearing and fine-tune it briefly

>afterwards.

>I am thus prone to suggest that briefs, if any, be required no later

>than

>the close of business on December 7. If any party has difficulty with

>that, please let me know. Be forewarned that there are scheduling
>issues
>that may significantly complicate matters if the order date is extended
>beyond January 1. Another option may include prehearing briefs,
>followed
>by brief arguments at the conclusion of the hearing.
>
>Please also remember to copy the Records Center with correspondence
>relating to the hearing.
>
>Thank you!
>
>
>Bob Wallis
>
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>
>
> "ffitch, Simon
>
> \(ATG\)"
>
> <SimonF@ATG.WA.GO
>To
> V> "Hon. Robert Wallis"
>
> <BobW@wutc.wa.gov>
>
> 11/06/2006 02:21
>cc
> PM
><chuck_eberdt@opportunitycouncil.or
>g>, <efinklea@chbh.com>,
>
> <gtrautman@wutc.wa.gov>,
>
> <nglaser@nwenergy.org>,
>
> <ronaldroseman@comcast.net>,
>
> "Johnson, Steven \(ATG\)"
>
> <StevenJ@ATG.WA.GOV>, "Meyer,
>
> David"

>until
>the close of hearing to address whether briefs are requested by parties
>or
>the bench and by what deadline. The purpose of this email is simply to
>clarify that there was no agreement to affirmatively dispense with
>briefs.
>
>Thank you.
>
>
>
>Simon ffitc
>Assistant Attorney General, Section Chief
>Public Counsel
>Washington Attorney General
>800 Fifth Avenue, Suite 2000
>Seattle Washington 98104-3188
>
>
>Office: (206) 389-2055
>FAX: (206) 389-2079
>Email: simonf@atg.wa.gov
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> -----Original Message-----
>From: Meyer, David [mailto:David.Meyer@avistacorp.com]
>Sent: Monday, November 06, 2006 1:13 PM
>To: ffitc, Simon (ATG); nglaser@nwenergy.org; Greg Trautman
>Cc: chuck_eberdt@opportunitycouncil.org; efinklea@chbh.com;
>gtrautman@wutc.wa.gov; ronaldroseman@comcast.net; Johnson, Steven (ATG)
>Subject: RE: Avista revised schedule
>
> Simon, I'm fine with you doing that, so long as you indicate that
> there is no consensus that briefs are even needed. David
>
> From: ffitc, Simon (ATG) [mailto:SimonF@ATG.WA.GOV]
> Sent: Monday, November 06, 2006 12:55 PM
> To: nglaser@nwenergy.org; Greg Trautman; Meyer, David
> Cc: chuck_eberdt@opportunitycouncil.org; efinklea@chbh.com;
> gtrautman@wutc.wa.gov; ronaldroseman@comcast.net; Johnson, Steven
> (ATG)
> Subject: RE: Avista revised schedule

>
> I guess I am okay with that if we can clarify with the judge that
> there was no decision or agreement to dispense with briefs, it
> simply wasn't addressed. Any objection to my communicating this
>to
> Judge Wallis. I can do it via email and cc everyone.
> -----Original Message-----
> From: Nancy Glaser [mailto:nglaser@nwenergy.org]
> Sent: Monday, November 06, 2006 11:07 AM
> To: Greg Trautman; Meyer, David
> Cc: chuck_eberdt@opportunitycouncil.org; efinklea@chbh.com;
> gtrautman@wutc.wa.gov; Nancy Glaser;
>ronaldroseman@comcast.net;
> ffitch, Simon (ATG); Johnson, Steven (ATG)
> Subject: Re: Avista revised schedule
>
> I'm fine with this decision to wait and see. Nancy
>
> >-----Original Message-----
> >From: Greg Trautman [mailto:gtrautma@wutc.wa.gov]
> >Sent: Monday, November 6, 2006 08:45 AM
> >To: 'Meyer, David'
> >Cc: chuck_eberdt@opportunitycouncil.org, efinklea@chbh.com,
> >gtrautman@wutc.wa.gov, 'Nancy Glaser',
> >ronaldroseman@comcast.net,
> >'ffitch, Simon \(ATG\)', 'Johnson, Steven \(ATG\)'
> >Subject: RE: Avista revised schedule
> >
> >I also am not sure that briefs will be necessary, but if
>so, I
> agree that
> >we could set the schedule for briefs at the conclusion of
>the
> hearings.
> >
> >
> >
> > "Meyer, David"
> > <David.Meyer@avis
> > tacorp.com> To
> > "ffitch, Simon \(ATG\)"
> > 11/06/2006 08:27 <SimonF@ATG.WA.GOV>, "Nancy Glaser"
> > AM <nglaser@nwenergy.org>,
> > <efinklea@chbh.com>,
> > <ronaldroseman@comcast.net>,
> > <gtrautman@wutc.wa.gov>, "Johnson,

> >an agreement to dispense with briefs, however, as the order
> seems to
> >reflect. My view is that we should either keep the prior
> date
> of 12/26, or
> >agree on another.
> >
> >Is there any objection to notifying the judge that we would
> like a date for
> >one round of briefs?
> > -----Original Message-----
> > From: Meyer, David [mailto:David.Meyer@avistacorp.com]
> > Sent: Monday, October 30, 2006 10:27 AM
> > To: Meyer, David; Gene Waas; ppyron@nwigu.org; ffitc,
> Simon
> (ATG);
> > Nancy Glaser; efinklea@chbh.com;
> ronaldroseman@comcast.net;
> > gtrautman@wutc.wa.gov; Johnson, Steven (ATG);
> > chuck_eberdt@opportunitycouncil.org; jsteward@wutc.wa.gov;
> > mparvinen@wutc.wa.gov
> > Cc: Norwood, Kelly; Hirschorn, Brian; Knox, Tara; Powell,
> Jon;
> > Townley, Tracy M
> > Subject: RE: Signature Version of Settlement
> >
> >
> >
> >
> > Here is the call-in information for our 11:00 a.m. call
> >this
> > morning
> > to discuss scheduling in the decoupling case:
> >
> >
> >
> >
> >
> > Phone Number: 1-877-232-4392
> >
> >
> > Code: 860956
> >
> >
> > David Meyer
> >

>>
>>
>>
>>
>>

>> From: Meyer, David
>> Sent: Thursday, October 26, 2006 4:37 PM
>> To: 'Gene Waas'; 'ppyron@nwigu.org'; 'ffitch, Simon
>(ATG)';
>> 'Nancy Glaser'; 'efinklea@chbh.com';
> 'ronaldroseman@comcast.net';
>> 'gtrautman@wutc.wa.gov'; 'stevenj@atg.wa.gov';
>> 'chuck_eberdt@opportunitycouncil.org';
> 'jsteward@wutc.wa.gov';
>> 'mparvinen@wutc.wa.gov'
>>
>>
>> Cc: Norwood, Kelly; Hirsch Korn, Brian; Knox, Tara; Powell,
> Jon;
>> Meyer, David; Townley, Tracy M
>> Subject: Signature Version of Settlement
>>
>>
>> Attached are the final versions of the Settlement
>Agreement
> and
>> accompanying attachments: (1) Illustration of Earnings
>Test;
> (2)
>> Illustration of DSM Test; and (3) the Tariff Schedule 159.
>(I
> have
>> also enclosed legislative-draft versions of the Settlement
> and Tariff
>> to show final edits received today from Nancy and Staff.)
>>
>>
>> Please fax your signature page directly to Greg Trautman
>at
> (360)
>> 586-5522 before 11:00am tomorrow morning, if possible, so
> that he can
>> arrange for the necessary filing of the Settlement with
>the
>> Commission. I will also advise Judge Wallis of the filing
>of

> the
>> Settlement tomorrow. Thanks Greg for agreeing to do this.
>>
>>
>> I appreciate the efforts that have gone into this.
>>
>> David
>>
>>
>>
>>
>>
>> << File: Clean Final Settlement Agreement Decoupling 10
>26
> 06.rtf
>> >> << File: Final Settlement Agreement Decoupling 10 26
> 06.rtf >>
>> << File: Attachment 1 Earnings Test .pdf >> << File:
> Attachment 2
>> DSM.pdf >> << File: Attachment 3 Decoupling
> tariff10.26.06.rtf >>
>> << File: Decoupling tariff.rtf >>
>>
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