

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

WASHINGTON UTILITIES AND	)	DOCKETS UE-090134 and
TRANSPORTATION COMMISSION,	)	UG-090135 ( <i>Consolidated</i> )
	)	
Complainant,	)	
	)	
v.	)	
	)	NOTICE OF PREHEARING
AVISTA CORPORATION d/b/a	)	CONFERENCE
AVISTA UTILITIES,	)	(Set for February 24, 2009, at 1:30
	)	p.m.)
Respondent.	)	
	)	
.....	)	

1 On January 23, 2009, Avista Corporation d/b/a Avista Utilities (Avista) 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 designed to effect a general rate increase for electric and gas service. Avista 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. Avista requested the early entry of a complaint and order suspending the proposed tariffs and waived any objection to the process by which the suspension order might be entered. The Commission suspended operation of the tariffs by Order 01 entered in this docket on February 3, 2009.

2 **STATUTORY AUTHORITY:** The Commission has jurisdiction over this matter under RCW Title 80, and has legal authority to regulate the rates, services, and practices of electric and gas utilities. The statutes that apply to this matter include RCW 80.01, RCW 80.04, and RCW 80.28, including but not limited to RCW 80.01.040, RCW 80.04.020, RCW 80.28.020, RCW 80.28.030, RCW 80.28.070, RCW 80.28.090, and RCW 80.28.100. The rules that apply to this matter include those within WAC 480-07, WAC 480-90, and 480-100.

3 The Commission will hear this matter under the Administrative Procedure Act (APA), particularly Part IV of RCW 34.05 relating to adjudications. The provisions of the

APA that relate to this proceeding include, but are not limited to RCW 34.05.413, RCW 34.05.422, RCW 34.05.431, RCW 34.05.434, RCW 34.05.440, RCW 34.05.449, and RCW 34.05.452. The Commission will also follow its procedural rules in WAC 480-07 in this proceeding.

4 **THE COMMISSION GIVES NOTICE That it will hold a prehearing conference in this matter at 1:30 p.m., on Tuesday, February 24, 2009, in the Commission's Hearing Room, Second Floor, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.**

5 The purpose of the prehearing conference is to consider requests for intervention, resolve scheduling matters including establishing dates for distributing evidence and workpapers, to identify the issues in the proceeding and determine other matters to assist the Commission in resolving the matter, as listed in WAC 480-07-430. **Parties are encouraged to consult informally prior to the prehearing conference to develop a proposed schedule for the Commission's consideration.**

6 **INTERVENTION:** Persons who wish to intervene should file a petition to intervene in writing at least three business days before the date of the prehearing conference. *See WAC 480-07-355(a)*. The Commission will consider oral petitions to intervene during the conference, but strongly prefers written petitions to intervene. Party representatives must file a notice of appearance with the Commission no later than the business day before the conference. *See WAC 480-07-345(2)*. If any party or witness needs an interpreter or other assistance, they should fill out the form attached to this notice and return it to the Commission. The Commission will set the time and place for any evidentiary hearings at the prehearing conference, on the record of a later conference or hearing session, or by later written notice.

7 **THE COMMISSION GIVES NOTICE that any party who fails to attend or participate in the prehearing conference set by this Notice, or any other stage of this proceeding, may be held in default under RCW 34.05.440.**

8 The names and mailing addresses of all known parties and their known representatives are as follows:

Complainant: Washington Utilities and  
Transportation Commission  
Richard Hemstad Building  
1300 S. Evergreen Park Drive S.W.  
P.O. Box 47250  
Olympia, WA 98504-7250  
(360) 664-1160

Representative: Greg Trautman  
Assistant Attorney General  
1400 S. Evergreen Park Drive S.W.  
P.O. Box 40128  
Olympia, WA 98504-0128  
(360) 664-1187  
[gtrautma@utc.wa.gov](mailto:gtrautma@utc.wa.gov)

Respondent: Avista Corporation  
Kelly O. Norwood  
VP, State & Federal Regulation  
P.O. Box 3727  
1411 E. Mission Ave, MSC-7  
Spokane, WA 99220-3727  
(509) 495-4267  
[kelly.norwood@avistacorp.com](mailto:kelly.norwood@avistacorp.com)

Representatives: David J. Meyer, Esq.  
VP and Chief Counsel for  
Regulatory and Governmental Affairs  
Avista Corporation  
P.O. Box 3727  
1411 E. Mission Ave, MSC-13  
Spokane, WA 99220-3727  
(509) 495-4316  
[david.meyer@avistacorp.com](mailto:david.meyer@avistacorp.com)

Public Counsel: Simon J. ffitich  
Office of the Attorney General  
800 Fifth Avenue, Suite 2000  
Seattle, WA 98104-3188  
(206) 389-2055  
[simonf@atg.wa.gov](mailto:simonf@atg.wa.gov)

- 9 The Commissioners of the Washington Utilities and Transportation Commission and Administrative Law Judge Adam E. Torem, from the Commission's Administrative Law Division, will preside during this proceeding.
- 10 The Attorney General has designated Simon J. ffitich of the Office of the Public Counsel to represent the public. You may use the Commission's address, shown below, for contacting Public Counsel, or you may contact Public Counsel directly by writing or calling the address or telephone number listed below.
- 11 The Commission will give parties notice of any other procedural phase of the proceeding in writing or on the record, as appropriate during this proceeding.

DATED at Olympia, Washington, and effective February 4, 2009.

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER  
Executive Director and Secretary

Inquiries may be addressed to:

Executive Director and Secretary  
Washington State Utilities and  
Transportation Commission  
Richard Hemstad Building  
1300 S. Evergreen Park Drive S.W.  
P.O. Box 47250  
Olympia, WA 98504-7250  
(360) 664-1160

- or - Public Counsel Section  
Office of the Attorney General  
800 Fifth Avenue, Suite 2000  
Seattle, WA 98104-3188  
(206) 464-7744

**NOTICE**

Hearing facilities are accessible to persons with disabilities. Smoking is prohibited. If limited English-speaking, hearing-impaired parties or witnesses are involved in a hearing and need an interpreter, a qualified interpreter will be appointed at no cost to the party or witness.

If you need an interpreter, or have other special needs, please fill out this form and return it to Washington State Utilities and Transportation Commission, Attention: David W. Danner, 1300 S. Evergreen Park Drive SW, P. O. Box 47250, Olympia, WA 98504-7250. (PLEASE SUPPLY ALL REQUESTED INFORMATION)

Docket : \_\_\_\_\_

Case Name: \_\_\_\_\_

Hearing Date: \_\_\_\_\_ Hearing Location: \_\_\_\_\_

Primary Language: \_\_\_\_\_

Hearing Impaired (Yes) \_\_\_\_\_ (No) \_\_\_\_\_

Do you need a certified sign language interpreter:

Visual \_\_\_\_\_ Tactile \_\_\_\_\_

Other type of assistance needed: \_\_\_\_\_

English-speaking person who can be contacted if there are questions:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone No.: (\_\_\_\_) \_\_\_\_\_