

BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION,

Complainant,

v.

AVISTA CORPORATION,

Respondent

DOCKETS UE-240006 & UG-240007
(Consolidated)

COMMISSION STAFF'S MOTION
FOR LEAVE TO FILE REVISED
CROSS-EXHIBIT

I. INTRODUCTION

1 Pursuant to WAC 480-07-375(1)(d) and 480-07-460(a)(1)(i), Commission Staff respectfully requests leave to revise cross exhibit AMM-_X(2), which was originally filed on September 16, 2024.

II. FACTUAL BACKGROUND

2 On January 18, 2024, Avista Corporation (hereinafter Avista or Company) filed with the Utilities and Transportation Commission (Commission) a General Rate Case (GRC) seeking authorization to increase the rates it charges to its electric and natural gas customers.¹ In support of this filing, Avista filed testimony and exhibits from multiple Company witnesses, making those witnesses available for cross-examination. The matter was suspended for adjudication and two filings (electric and natural gas) were consolidated.²

3 The evidentiary hearing for this docket will take place on September 30, 2024, and October 1, 2024. In preparation for that hearing, Staff submitted several exhibits including

¹ *Wash. Utils & Transp. Comm'n v. Avista Corp.*, Dockets 240006 & 240007, Order 01, ¶ 1 (Feb. 27, 2024).

² *Wash. Utils & Transp. Comm'n v. Avista Corp.*, Dockets 240006 & 240007, Order 01, ¶¶ 18-24 (Feb. 27, 2024).

Exhibit AMM-_X(2)³ to be used in cross-examination of Avista's witness Adrien M. McKenzie. This exhibit was in two parts, a Microsoft Excel document and a PDF document. The PDF document was intended to be a reproduction of the Excel document, but through a clerical error, a version of the PDF document was submitted which presented slightly different data than the Excel document. Staff brings this present motion to correct that error and file a revised version of the exhibit.

III. COMMISSION STAFF'S MOTION

4 Under WAC 480-07-460(1)(a)(i), a party may submit substantive revisions to testimony or exhibits only after receiving leave from the presiding officer. WAC 480-07-460(1)(b) requires that a party submit a motion to amend testimony or exhibits as soon as practicable after discovering the need for such revision or supplementation. In considering such motions, the Commission has generally examined the timing of such motions, the prejudice to any other parties, and whether accepting such amendments will disrupt the procedural schedule of the case.⁴

5 Leave to amend is warranted here. Staff's proposed revised exhibit contains substantive changes to the data presented. Staff discovered this error only recently and is promptly bringing this motion to correct the record so it is more accurate and informative for Commission review. The new exhibit will not prejudice any party in its review of the exhibits. Avista and its witness are already aware of the error and the proper exhibit to reference for hearing preparation purposes. The differences between the original and revised versions of the exhibit are also minor and do not affect Staff's recommendation in this case. Further, the excel version of the exhibit is

³ At the time of this motion, cross-exhibits have not yet been admitted and given official exhibit numbers. This motion therefore uses the parenthetical number as designated in Staff's submission.

⁴ *WUTC v. Cascade Natural Gas Corp.*, Docket UG-210755, Order 04 at ¶ 7 (Dec. 17, 2021).

already in the case file – it is only the PDF version that is incorrect, and only at a handful of data points. Therefore, while there is a substantive difference between the new and old versions of the exhibit, this motion is more akin to the correction of a clerical error than a true amendment to exhibits or testimony. Finally, allowing Staff’s revised exhibit will benefit other parties and the Commission review by eliminating the potential confusion of a conflict between two copies of an exhibit that purport to be identical.

6 Permitting the admission of this amendment is in the public interest because it provides a more accurate and complete record before the Commissioners. The current version of Staff’s exhibit represents a simple but substantive clerical error. The public interest leans in favor of correcting this so that the Commissioners may conduct a thorough examination of the record before them and be certain that the decision they make is based on upon the foundation of correct and well-vetted evidence.

IV. CONCLUSION

7 For the reasons listed above, Staff respectfully requests that the Commission grant its motion for leave to file the Revised Cross-Exhibit AMM-_Xr(2) and have the exhibit be treated in the same manner as the rest of Staff’s cross exhibits in this proceeding.

DATED this 26th day of September, 2024.

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