

Davison Van Cleve PC

Attorneys at Law

TEL (503) 241-7242 • tcp@dvclaw.com
107 SE Washington Street, Suite 430
Portland, Oregon, 97214

Received
Records Management
Oct 17, 2024

October 17, 2024

Via Electronic Filing

Executive Director and Secretary
Washington Utilities & Transportation Commission
621 Woodland Square Loop SE
Lacey, WA 98503
Jeff Killip

Re: *In the Matter of UE-240651 & UG-240652 – Avista Utilities Tariff WN U-28, Schedule 92, Low-Income Rate Assistance Program*

Comments of the Alliance of Western Energy Consumers

Dear Executive Director Killip:

The Alliance of Western Energy Consumers (“AWEC”) appreciates the opportunity to comment on Avista’s filing to increase the funding under its Low-Income Rate Assistance Program (“LIRAP”).

AWEC does not oppose Avista’s requested increase to the LIRAP rate. However, Avista notes that its forecasted cost for the 2024-2025 program year “may reach approximately \$35.8 million,” which is nearly at the cap of 5% of revenue requirement included in RCW 80.28.425(2).¹ Accordingly, Avista states that it “plans to discuss this issue with its [Energy Assistance] Advisory Group in 2025”² As this issue has the potential to directly impact customer rates, AWEC requests that the Commission require Avista to hold any informal discussions regarding the 5% cap in RCW 80.28.425(2) outside of the advisory group process so that other interested stakeholders can participate and so that determinations that have the potential to impact customer rates are not made in the closed advisory group process and then presented to the Commission for approval through the open meeting process. Rather, AWEC recommends that Avista notify and invite all parties to its most recent multi-year rate plan

¹ Avista Cover Letter at 15.

² *Id.* at 16.

proceeding to any discussion of the 5% cap and its implications for Avista's LIRAP and related programs.

Further, to the extent there is a disagreement between parties regarding how to interpret the 5% cap in RCW 80.28.425(2), AWEC recommends that the Commission address any such disagreement in a proceeding that is generally applicable to all affected utilities, as any interpretation of this statute has implications that go beyond Avista's LIRAP program.

Dated this 17th day of October 2024.

Respectfully submitted,

DAVISON VAN CLEVE, P.C.

/s/ Tyler C. Pepple

Tyler C. Pepple, WA State Bar No. 50475
Corinne O. Olson, OR State Bar No. 194200
107 SE Washington St., Ste. 430
Portland, OR 97214
Telephone: (503) 241-7242
tcp@dvclaw.com
sjm@dvclaw.com
*Of Attorneys for the
Alliance of Western Energy Consumers*