

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of

AVISTA CORPORATION, d/b/a
AVISTA UTILITIES

DOCKETS UE-240006 and
UG-240007 (*Consolidated*)

ORDER 10

APPROVING PAYMENT

BACKGROUND

- 1 On January 18, 2024, Avista Corporation d/b/a Avista Utilities (Avista or Company) filed with the Washington Utilities and Transportation Commission (Commission) revisions to its electric service tariff, Tariff WN U-28, and its natural gas service tariff, Tariff WN U-29 (Initial Filing). Through these filings, Avista sought to increase rates and charges for the electric and natural gas services the Company provides to its Washington customers.
- 2 On March 21, 2024, NW Energy Coalition (NVEC) filed its Proposed Budget requesting case certification status and notice that it intended to request a Fund Grant from the Customer Representation Sub-Fund in the amount of \$30,000.
- 3 On March 21, 2024, The Energy Project (TEP) filed its Proposed Budget and requested case certification status and \$85,000 for partial reimbursement of expenses and did not include hours for in-house or professional staff.
- 4 On April 3, 2024, the Commission entered Order 05 Granting Requests for Case Certification in this docket granting case certification status to NVEC and TEP.
- 5 On April 3, 2024, the Commission entered Order 06 Approving Proposed Budgets and Fund Grants in this docket, approving TEP's proposed budget and Fund Grant request in the amount of \$85,000, and NVEC's proposed budget and Fund Grant request in the amount of \$30,000.
- 6 On February 2, 2025, TEP filed in this Docket its Request for Payment of Fund Grant requesting payment of its approved Sub-Fund Grant in the amount of \$85,000 from the Customer Representation Sub-Fund.

- 7 On May 12, 2025, NVEC filed in this Docket its Request of Fund Grant, requesting payment of its approved Sub-Fund Grant in the amount of \$30,000 from the Customer Representation Sub-Fund.

DISCUSSION

- 8 Pursuant to RCW 80.28.430, utilities must enter into funding agreements with organizations that represent “broad customer interests.” The Commission is directed to determine the amount of financial assistance, if any, that may be provided to any organization; the way the financial assistance is distributed; the way the financial assistance is recovered in a utility’s rates; and other matters necessary to administer the agreement.¹
- 9 On November 19, 2021, the Commission issued a Policy Statement on Participatory Funding for Regulatory Proceedings (Policy Statement) in Docket U-210595.² The Commission provided “high-level guidance regarding the amount of financial assistance that may be provided to organizations, the manner in which it is distributed to participants and recovered in the rates of gas or electrical companies, and other matters necessary to administer agreements.”³
- 10 On February 24, 2022, the Commission issued Order 01, Approving Agreement with Modifications (Order 01).⁴ The Commission approved the Interim Agreement filed by the parties on February 23, 2022, subject to certain modifications, and adopted the Interim Agreement as Appendix A to the Order. Among other points, the Commission clarified that it is not bound by the timeframes set forth in the Interim Agreement.⁵ The Commission also determined that of the amount authorized for funding, one third would be dedicated to organizations representing highly impacted communities and vulnerable populations.⁶

¹ RCW 80.28.430(2).

² *In the Matter of the Commission’s Examination of Participatory Funding Provisions for Regulatory Proceedings*, Docket U-210595 (November 19, 2021).

³ *Id.* ¶ 3.

⁴ *In the Matter of the Petition of Puget Sound Energy, et al.*, Docket U-210595 Order 01 (February 24, 2022).

⁵ *Id.* ¶ 17.

⁶ *Id.* ¶ 4.

- 11 Pursuant to the Interim Agreement, participating organizations must submit to the Commission a Request for Payment. The Request for Payment must:
- (a) Itemize the expenses, payees, and hourly rates for amounts to be reimbursed, including billing details, and including separately identified amounts for consultant or expert witness fees and travel expenses;
 - (b) Demonstrate that the expenses are reasonable and are directly attributable to issues and positions pursued on behalf of customers and consistent with the intervenor's proposed budget;
 - (c) Provide information sufficient to show that the Participating Organization has complied with any condition or requirement of the Fund Grant; and
 - (d) Specify whether the request for payment is for interim funding, in the case of Prioritized Organizations only, or final payment in full, and indicate whether any approved budget amount may be released back to the applicable Sub-Fund because the Participating Organization does not intend to request payment for the full approved budget amount.⁷
- 12 The Commission may disallow, in whole or in part, a Request for Payment if it determines that the request seeks reimbursement for (a) expenses that are not Eligible Expenses,⁸ or (b) expenses that are inconsistent with the Participating Organization's Consumer Access Fund Grant or any conditions placed on the Consumer Access Fund Grant.⁹ Upon authorization of payment, the Commission will make a determination on how to recover the Fund Grants from the various customer classes of the affected Participating Public Utility.¹⁰ Additionally, the Commission may determine whether Fund Grants that were used to advocate positions on behalf of a broad cross-section of customers should be assessed against all customers or multiple classes of customers, to fairly align the costs of the advocacy with the intended potential beneficiaries of the advocacy.
- 13 On February 9, 2023, the Commission entered Order 02, Approving Agreement Subject to Condition, Requiring Refiling of Modified Agreement (Order 02).¹¹ The Commission approved the Revised Agreement submitted by the parties, subject to the removal of

⁷ Interim Agreement § 7.1.

⁸ Interim Agreement § 7.3.

⁹ Interim Agreement § 7.6.

¹⁰ Interim Agreement § 7.7.

¹¹ *In the Matter of the Petition of Puget Sound Energy, et al.*, Docket U-210595 Order 02 (February 9, 2023).

paragraph 7.9, which authorized deferred accounting treatment.¹² The Commission also clarified that it was not bound by the timelines set forth in the Revised Agreement.¹³

- 14 As relevant here, the Revised Agreement carried forward the same requirements for requests for payments of fund grants.¹⁴ It also makes clear that “[e]ligible expenses” may include costs for eligible proceedings incurred prior to the approval of the Revised Agreement.¹⁵
- 15 In this case, on February 2, 2025, TEP filed its request for a payment of \$85,000 allocated to Avista’s Customer Representation Sub-Fund; on May 12, 2025, NWEC filed a Request for Payment of Fund Grant, requesting a payment of \$30,000 allocated to Avista’s Energy’s Customer Representation Sub-Fund. The Commission approved TEP’s proposed budget of \$85,000 and NWEC’s proposed budget of \$30,000 in 2024. Pursuant to the Participatory Funding Agreements, funding will come out of the allocation for the year that the proposed budget is approved.
- 16 Pursuant to Section 7.6, “[t]he Commission may not award a Request for Payment in excess of the amount of the applicable Customer Access Fund Grant, including any budget amendments approved by the Commission.”
- 17 After considering the requirements set forth in Sections 4.2.4, 7.1, 7.3, and 7.7 of the Revised Agreement, we determine that TEP’s request for payment of \$85,000 should be approved and NWEC’s request for payment of \$30,000 should be approved.
- 18 Avista must pay the above Request for Payment as directed within 30 days of the entry of this Order.¹⁶

¹² *Id.* ¶ 20.

¹³ *Id.* ¶ 21.

¹⁴ Revised Agreement § 7.1.

¹⁵ Revised Agreement § 7.3. *See also* Interim Agreement § 9.3 (providing that the Commission will require a participating utility to pay eligible expenses incurred under an approved fund grant that was awarded before the date of the termination of the Interim Agreement).

¹⁶ Revised Agreement § 7.8.

ORDER

THE COMMISSION ORDERS:

- 19 (1) The Energy Project's Request for Payment of Fund Grant of The Energy Project from the 2024 Avista Customer Representation Sub-Fund is APPROVED in the amount of \$85,000.
- 20 (2) NW Energy Coalition's Request of Fund Grant from the 2024 Avista Customer Representation Sub-Fund is APPROVED in the amount of \$30,000.

Dated at Lacey, Washington, and effective June 20, 2025.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

/s/ Connor A. Thompson

CONNOR THOMPSON

Director, Administrative Law Division

**NOTICE TO PARTIES: This is an Interim Order of the Commission.
Administrative review may be available through a petition for review, filed within
10 days of the service of this Order pursuant to WAC 480-07-810.**