

July 29, 2024

Via UTC Web Portal

Jeff Killip and Michael Howard
Washington Utilities and Transportation Commission
621 Woodland Sq. Loop SE
P. O. Box 47250
Lacey, Washington 98503

Re: Washington Utilities and Transportation Commission v. Avista Corporation
Dockets UE-220053 and UG-220054 (Consolidated)

Dear Executive Director Killip and Chief ALJ Howard:

I am writing to express concern about the timing of the Commission's Compliance Acknowledgement Letter concerning Avista's provisional capital report. Pursuant to ¶ 20(a) of the Settlement agreement in dockets 220053-54, the review time for the provisional capital reports is four months. Avista filed its report on March 29, 2024; so the review period ends July 29, 2024. Commission Staff filed their letter concerning compliance last week, however, parties have until 5pm today to file a response to this report. For example, Public Counsel filed a response letter on July 29, 2024. The Energy Project (TEP) does not provide a substantive response to Avista's provisional capital report.

The Commission issued an acknowledgement letter concerning the report on July 26, 2024, before the end of the review period set via the final order in the settlement agreement, and before Public Counsel timely filed a letter concerning compliance. The timing of the Commission's acknowledgement letter is particularly concerning in the context of a response to a multiyear rate plan's provisional capital report, which unlike most other compliance filings, provides parties the opportunity to argue for disallowances. *See* Dkt. U-190531, Used and Useful Policy Statement, ¶ 45 (Jan. 31, 2020).

TEP respectfully requests that the Commission issue a revised acknowledgement letter that considers Public Counsel's timely-filed letter and establish procedures to ensure that future Compliance Acknowledgement Letters are not issued before the end of a review period and consider each party's response to the utility's filing.

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Very truly yours,

/s/ Yochanan Zakai

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