

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

WASHINGTON UTILITIES AND)	DOCKET NO. UG-020218
TRANSPORTATION COMMISSION)	
)	
Complainant,)	
)	
v.)	
)	
AVISTA CORPORATION d/b/a AVISTA)	
UTILITIES,)	
)	
Respondent.)	
.....)	
WASHINGTON UTILITIES AND)	DOCKET NO. UG-020575
TRANSPORTATION COMMISSION)	
)	
Complainant,)	ORDER OF CONSOLIDATION
)	AND NOTICE OF PREHEARING
v.)	CONFERENCE
)	(January 14, 2003)
)	
AVISTA CORPORATION d/b/a AVISTA)	
UTILITIES,)	
)	
Respondent.)	
.....)	

- 1 On November 15, 2002, the Washington Utilities and Transportation Commission, on its own motion, filed complaints against Avista Corporation d/b/a Avista Utilities (Avista) in Docket Nos. UG-020218 and UG-020575. The complaints allege that Avista has failed to comply with and violated state pipeline safety requirements. A more detailed account of the violations are reflected in the complaints which are available for inspection at the Commission's offices located at Chandler Plaza Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.

- 2 Hearing in this matter is being held pursuant to Part IV of chapter 34.05 RCW pertaining to adjudicative proceedings, including but not limited to RCW

34.05.413, RCW 34.05.431, RCW 34.05.440, RCW 34.05.449, and RCW 34.05.452. The Commission has jurisdiction over this matter pursuant to Title 80 RCW, having legal authority to regulate the rates, services, and practices of gas companies. The statutes involved, include but are not limited to RCW 80.01.040, RCW 80.04.070, RCW 80.04.110, RCW 80.04.380, RCW 80.28.130, RCW 80.28.207, RCW 80.28.210, and RCW 80.28.212. The rules involved, include but are not limited to WAC 480-93-015, WAC 480-93-110, WAC 480-93-183, WAC 480-93-186, WAC 480-93-187, WAC 480-93-188, chapter 480-09 WAC, and chapter 480-93 WAC which adopts and incorporates the federal pipeline safety regulations found in Title 49 C.F.R. § 192. The ultimate issues include whether Avista violated state safety requirements, and if so, whether the Commission should issue penalties for such violation, and in what amount.

3 In as much as the foregoing matters involve common questions of fact and law, it has been determined that they should be consolidated for hearing and determination.

ORDER OF CONSOLIDATION

4 IT IS HEREBY ORDERED That each of the above-entitled dockets be and the same is consolidated for hearing and determination, with the commission reserving the right to hold such separate hearings and to issue separate orders in individual dockets as it may deem appropriate.

5 **NOTICE IS GIVEN That a prehearing conference in this matter will be held at 9:30 a.m. on January 14, 2003, in the Commission's Hearing Room, Second Floor, Chandler Plaza Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.**

6 The purpose of the prehearing conference is to consider formulating the issues in the proceeding and to determine other matters to aid in its disposition, as specified in WAC 480-09-460. Petitions to intervene should be made in writing prior to the hearing date or made orally at the hearing. The time and place for the evidentiary hearing will be set at the prehearing conference or by later written notice. Appearances will be taken.

7 If any party or witness needs an interpreter or other assistance, please fill out the form attached to this notice and return it to the Commission.

8 NOTICE IS FURTHER GIVEN THAT ANY PARTY WHO FAILS TO ATTEND OR PARTICIPATE IN THE HEARING SET BY THIS NOTICE, OR ANY OTHER STAGE OF THIS PROCEEDING, MAY BE HELD IN DEFAULT IN ACCORDANCE WITH RCW 34.05.440. THE PARTIES ARE FURTHER ADVISED THAT THE SANCTION PROVISIONS OF WAC 480-09-700(4) ARE SPECIFICALLY INVOKED.

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

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

Representative: Donald T. Trotter
Senior Counsel
1400 S. Evergreen Park Drive S.W.
P. O. Box 40128
Olympia, WA 98504-0128
(360) 664-1188

Respondent: Avista Corporation d/b/a Avista Utilities
1411 E. Mission Avenue
P. O. Box 3727
Spokane, WA 99220
(509) 777-5655

Representative: David J. Meyer
Senior Vice President & General Counsel
Avista Corporation
1411 E. Mission Avenue
P. O. Box 3727
Spokane, WA 99220-3727
(509) 495-4316

Public Counsel: Simon ffitc
Office of Attorney General
900 Fourth Avenue, Suite 200
Seattle, WA 98164-1012
(206) 646-7744

- 10 Theodora Mace has been designated as the Administrative Law Judge from the Utilities and Transportation Commission's Administrative Law Division, 1300 S. Evergreen Park Drive S.W., Olympia, Washington 98504-7250, and will preside at the prehearing conference.
- 11 The Public Counsel section of the Office of the Attorney General has been designated by the Attorney General to represent the public. The address of the Commission, shown below, may be used for inquiries of Public Counsel, or Public Counsel may be contacted directly by writing or calling the address or telephone number listed below.
- 12 Notice of any other procedural phase will be given in writing or on the record as the Commission may deem appropriate during the course of this proceeding.

Dated at Olympia, Washington, and effective this ____ day of December 2002.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARILYN SHOWALTER, Chairwoman

RICHARD HEMSTAD, Commissioner

PATRICK J. OSHIE, Commissioner

Inquires may be addressed to:

Executive Secretary
Washington Utilities and
Transportation Commission
Chandler Plaza 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 Attorney General
900 Fourth Avenue, Suite 2000
Seattle, WA 98164-1012
(206) 464-7744

[Service Date December 13, 2002]

NOTICE

PLEASE BE ADVISED that the hearing facilities are accessible to interested people with disabilities; that smoking is prohibited; and that if limited English-speaking or 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.

The information needed to provide an appropriate interpreter or other assistance should be designated below and returned to:

Carole J. Washburn, Executive Secretary
Washington Utilities and Transportation Commission
1300 S. Evergreen Park Drive S.W.
P. O. Box 47250
Olympia, WA 98504-7250

(SUPPLY ALL REQUESTED INFORMATION)

Docket Nos.: **UG-020218 & UG-020575**

Case Name: **WASHINGTON UTILITIES AND TRANSPORTATION
COMMISSION v. AVISTA CORPORATION d/b/a AVISTA
UTILITIES**

Hearing Date: _____ Hearing Location: _____

Primary Language: _____

Hearing Impaired (Yes) (No)

Do you need a certified sign language interpreter: (Yes) (No)

Visual _____ Tactile _____

Other type of assistance needed: _____

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

Name: _____

Address: _____

Phone No.: (____) _____