

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND)	DOCKETS UE-150204 and
TRANSPORTATION)	UG-150205 (<i>consolidated</i>)
COMMISSION,)	
)	
Complainant,)	ORDER 04
)	
v.)	
)	ORDER DENYING STAFF’S
AVISTA CORPORATION dba)	MOTION FOR LEAVE TO FILE
AVISTA UTILITIES,)	SUPPLEMENTAL ARGUMENT ON
)	BRIEF
Respondent.)	
.....)	

- 1 **PROCEEDINGS.** On February 9, 2015, Avista Corporation d/b/a Avista Utilities filed with the Washington Utilities and Transportation Commission (Commission) revisions to its currently effective Tariff WN U-28, Electric Service, and Tariff WN U-29, Natural Gas Service. In Order 01, the Commission suspended these tariff revisions and consolidated them for hearing. The Commission conducted evidentiary hearings, and on November 4, 2015, the parties filed post-hearing briefs.

- 2 **MOTION FOR LEAVE TO FILE SUPPLEMENTAL ARGUMENT.** On December 4, 2015, Commission staff (Staff) filed a Motion for Leave to File Supplemental Argument on Brief (Motion). Staff requests to “present [its] argument more clearly and forcefully on the issue of attrition.”¹ Staff represents that its Motion is brief and does not burden the record.

- 3 **DECISION.** Pursuant to WAC 480-07-395(5), the Commission may allow amendment of pleadings, motions, or other documents on such terms as promote fair and just results. Staff’s desire to make its argument more clear and forceful, without more, does not demonstrate that amending its brief would promote fair and just results. Staff, moreover, seeks to amend its brief one month after filing it and less than four weeks before the

¹ Motion ¶ 2.

requested rate effective date.² Staff should have made that request long before now to allow the Commission and the parties sufficient time to consider and address Staff's arguments. The Motion, therefore, is untimely, and amendment of Staff's post-hearing brief will not promote fair and just results.

ORDER

4 THE COMMISSION ORDERS That the Motion for Leave to File Supplemental Authority on Brief filed by the Commission's regulatory staff is DENIED.

Dated at Olympia, Washington, and effective December 8, 2015.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARGUERITE E. FRIEDLANDER
Administrative Law Judge

² The requested rate effective date is January 1, 2016. The statutory effective date for this general rate request is January 11, 2016.