

[Service Date February 28, 2003]

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION
COMMISSION

WASHINGTON UTILITIES AND)	
TRANSPORTATION COMMISSION,)	DOCKET NO. UG-021584
)	
Complainant,)	
)	FIRST SUPPLEMENTAL ORDER;
v.)	PREHEARING CONFERENCE
)	ORDER
AVISTA CORPORATION d/b/a)	
AVISTA UTILITIES,)	
)	
Respondent.)	
.....)	

1 **Proceeding.** Docket No. UG-021584 is a tariff filing filed by Avista Corporation d/b/a Avista Utilities (Avista) for certain tariff revisions directly affecting Avista Tariff Schedule 163, which would modify and extend Avista's "Natural Gas Benchmark Mechanism" (Benchmark Mechanism) for two years. The Benchmark Mechanism (current and proposed) establishes the natural gas costs for Purchased Gas Adjustment deferral purposes.

2 **Conference.** The Washington Utilities and Transportation Commission (Commission) convened a prehearing conference in this docket at Olympia, Washington on February 27, 2003, before Administrative Law Judge Marjorie R. Schaer.

3 **Appearances.** David Meyer, attorney, Spokane, represents Avista. Robert Cromwell, Assistant Attorney General, Seattle, appeared for Simon ffitich, Assistant Attorney General, Seattle. Mr. ffitich appears as Public Counsel. Donald T. Trotter, Assistant Attorney General, Olympia, represents the Commission.

4 **Petitions for Intervention.** No parties sought to intervene in this matter.

5 **Protective order.** The parties asked the Commission to enter a protective order in this docket pursuant to RCW 34.05.446 and RCW 80.04.095, to protect the

confidentiality of proprietary information. The request was granted, and a protective order will be entered.

6 **Discovery.** The notice in this matter, in paragraph seven, declares this proceeding to be of a precedential nature and invoked the provisions of WAC 480-09-480.

7 **Issues.** The parties discussed the issues that they believe to be involved. The question to be resolved is whether Avista Tariff Schedule 163 should be maintained. Issues to explore in making this determination include whether the tariff provides an incentive to keep gas purchase prices low, and whether the records of the tariffs schedule may be successfully audited.

8 **Hearing schedule.** The parties agreed upon the following schedule for the proceeding.

Avista files evidence	April 21, 2003
Commission Staff and Public Counsel file evidence	July 18, 2003
Avista files rebuttal	August 18, 2003
Hearing begins	September 23, 2003
Briefs due	October 15, 2003

In addition to these dates, a prehearing conference at which parties must exchange cross-examination exhibits and time estimates for cross-examination will be held starting at **9:30 a.m. on September 16, 2003**. The dates of September 23 to 26, 2003, have been reserved for hearings.

9 **Document preparation and process issues.** Parties must file fourteen copies of each document filed with the Commission. Appendix A states relevant Commission rules and other directions for the preparation and submission of evidence and for other process in this docket. Parties will be expected to comply with these provisions.

- 10 **Alternate dispute resolution.** The Commission supports the informal settlement of matters before it. Parties are encouraged to consider means of resolving disputes informally. The Commission does have limited ability to provide dispute resolution services; if you wish to explore those services, please call the Director, Administrative Law Division, at (360) 664-1142.

Dated at Olympia, Washington, and effective this 28th day of February, 2003.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARJORIE R. SCHAER
Administrative Law Judge

NOTICE TO PARTIES: Any objection to the provisions of this Order must be filed within ten (10) days after the date of mailing of this statement, pursuant to WAC 480-09-460(2). Absent such objections, this prehearing conference order will control further proceedings in this matter, subject to Commission review.