

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION,	DOCKETS UE-150204 and UG- 150205 (<i>Consolidated</i>)
Complainant,	ORDER 10
v.	
AVISTA CORPORATION d/b/a AVISTA UTILITIES,	GRANTING MOTION TO MODIFY PROCEDURAL SCHEDULE
Respondent.	

BACKGROUND

- 1 On January 6, 2016, the Washington Utilities and Transportation Commission (Commission) entered Order 05, the final order in this proceeding. Subsequently, on March 18, 2016, the Public Counsel Unit of the Attorney General’s Office (Public Counsel) filed a petition for judicial review in the Superior Court for Thurston County. On April 29, 2016, the Thurston County Superior Court certified the case for direct review by the Court of Appeals of Washington, Division Two, and the Court of Appeals reversed in part the Commission’s Order 05. The Court of Appeals subsequently remanded the proceeding to the Commission,¹ and on April 16, 2019, the Thurston County Superior Court remanded the matter to the Commission to effectuate the decision of the Court of Appeals.
- 2 The Commission convened a prehearing conference on May 24, 2019. During the prehearing conference, the parties proposed a procedural schedule. On May 29, 2019, the Commission entered Order 07, adopting the procedural schedule proposed by the parties.
- 3 On June 19, 2019, Public Counsel filed an unopposed motion to modify the procedural schedule, rescheduling the first settlement conference from August 6, 2019, to August 7, 2019. On August 14, 2019, all parties to the remanded proceeding² filed a motion to amend the procedural schedule to delay by ten days the date for the filing of Staff, Public

¹ *Pub. Counsel v. Wash. Utils. & Transp. Comm’n*, 4 Wn. App. 2d 657, 688-89 (2018).

² Comprising Avista Corporation (Company), Commission Staff, Public Counsel, and the Alliance of Western Energy Consumers (collectively, “Joint Movants”).

Counsel and Intervenor Response Testimony, from August 20, 2019, to August 30, 2019. Both motions were granted.

4 Finally, on August 16, 2019, the Joint Movants filed another joint motion to amend procedural schedule (Motion), proposing to extend the two remaining testimony filing deadlines and data request issuance deadline. That is, the Joint Movants request that the new filing deadline for Staff, Public Counsel, and Intervenor Response Testimony and Exhibits, originally set for August 20 and then extended to August 30, be set for September 13, 2019. The Joint Movants request that the October 4 deadline for filing Company Rebuttal Testimony and Exhibits, and Staff, Public Counsel, and Intervenor Cross-Answering Testimony and Exhibits be continued to October 11, 2019. Finally, the October 9, 2019, deadline for issuing data requests is to be extended to October 17, 2019.

5 The Joint Movants state that the requested modifications do not prejudice any party and allow sufficient time to prepare for the October 30, 2019, hearing in this proceeding.

DISCUSSION

6 Under WAC 480-07-375(1)(b), parties may file procedural motions requesting that the Commission modify the procedural schedule in a proceeding. Procedural motions include motions for continuance, which are granted for good cause where they do not prejudice any party or the Commission.³

7 Because all parties to the proceeding are in agreement on the proposed amendment to the procedural schedule, and because the modifications are limited, the Commission grants the Joint Movants' Motion to Amend Procedural Schedule, as indicated in Appendix A to this order.⁴

ORDER

8 **THE COMMISSION ORDERS THAT** the August 16, 2019, Joint Motion to Amend Procedural Schedule of Avista Corporation, the Staff of the Washington Utilities and Transportation Commission, the Office of Public Counsel, and the Alliance of Western Energy Consumers is GRANTED.

³ WAC 480-07-385(2)(a).

⁴ Appendix A reflects only modifications to the procedural schedule; events that have not been modified from the procedural schedule adopted in previous orders in these dockets are not included in Appendix A.

Dated at Lacey, Washington, and effective August 20, 2019.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

/s/ Nelli Doroshkin

NELLI DOROSHKIN

Administrative Law Judge

APPENDIX A
REVISION TO PROCEDURAL SCHEDULE
DOCKETS UE-150204 and UG-150205 (Consolidated)

EVENT	PRIOR DEADLINE OR DATE	REVISED DEADLINE OR DATE
Staff, Public Counsel and Intervenor Response Testimony and Exhibits ⁵	Friday August 30, 2019	Friday September 13, 2019
Company Rebuttal Testimony and Exhibits; Staff, Public Counsel and Intervenor Cross-Answering Testimony and Exhibits ⁶	Friday October 4, 2019	Friday October 11, 2019
Discovery Deadline – Last Day to Issue Data Requests ⁷	Wednesday October 9, 2019	Thursday October 17, 2019

⁵ Response time to data requests relating to this testimony will be 7 business days.

⁶ Response time to data requests relating to this testimony will be 5 business days.

⁷ Response time to data requests will be 5 business days.