

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

WASHINGTON UTILITIES AND)
TRANSPORTATION COMMISSION) DOCKET NO. UG-020218

)
)
Complainant,)

v.)

)
AVISTA CORPORATION d/b/a AVISTA)
UTILITIES,)

)
)
Respondent.)

.....)
WASHINGTON UTILITIES AND) DOCKET NO. UG-020575
TRANSPORTATION COMMISSION)

)
)
Complainant,)

FIRST SUPPLEMENTAL ORDER;
PREHEARING CONFERENCE
ORDER

v.)

)
AVISTA CORPORATION d/b/a AVISTA)
UTILITIES,)

)
)
Respondent.)

.....)

1 **Proceeding:** Docket Nos. UG-020218 and UG-020575 involve a Commission complaint against Avista Corporation d/b/a Avista Utilities ("Avista") based on alleged violations of federal and state pipeline safety regulations resulting from inspections of Avista's natural gas facilities.

2 **Conference:** The Commission convened a prehearing conference in this docket at Olympia, Washington on January 14, 2003 before Administrative Law Judge Theodora M. Mace.

3 **Appearances.** Donald T. Trotter, attorney, represents Commission Staff. David
J. Meyer, attorney, represents Avista. Contact information provided at the
conference for the parties' representatives is attached as Appendix A to this
order.

4 **Petitions for Intervention.** No Petitions to Intervene were received by the
Commission, either before or at the time of the prehearing conference.

5 **Protective order.** The parties indicated there was no need to ask the
Commission to enter a protective order in this case.

6 **Discovery.** Parties desire to engage in discovery of information in the
proceeding. The proceeding qualifies under WAC 480-09-480 as a proceeding in
which inquiries may be made to the extent provided in the rule. The discovery
rule is invoked.

7 **Issues.** The parties stated that the issues were sufficiently well-defined and
required no further discussion at the prehearing conference.

8 **Schedule of proceedings.** The parties proposed a schedule of proceedings
which has been modified slightly to accommodate the Commission's scheduling
parameters, as follows:

February 24, 2003	Settlement Agreement filed, if any
March 27, 2003	Settlement Hearing (if needed)
If no settlement filed by February 24, 2003	
April 18, 2003	Staff files testimony and exhibits
May 30, 2003	Avista files testimony and exhibits
June 20, 2003	Staff files rebuttal testimony

June 27, 2003 Prehearing conference

July 1-2, 2003 Evidentiary hearing

- 9 **Document preparation and process issues.** Parties must file an original and thirteen copies of each document filed with the Commission. Appendix B 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.

Dated at Olympia, Washington, and effective this ____ day of January, 2003.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

THEODORA M. MACE
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.

APPENDIX A

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Avista Representative: David J. Meyer
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Appendix B

I. Requirements for ALL paper copies of testimony, exhibits, and briefs

The following requirements are restated from and clarify the Commission's rules relating to adjudications.

A. All paper copies of briefs, prefiled testimony, and original text in exhibits must be

- On 8-1/2x11 paper, punched for insertion in a 3-ring binder,
- Punched with OVERSIZED HOLES to allow easy handling.
- Double-spaced
- 12-point or larger text and footnotes, Times New Roman or equivalent serif font.
- Minimum one-inch margins from all edges.

Other exhibit materials need not be double-spaced or 12-point type, but must be printed or copied for optimum legibility.

B. All electronic and paper copies must be:

- SEQUENTIALLY NUMBERED (all pages). **THIS INCLUDES EXHIBITS.** It is not reasonable to expect other counsel or the bench to keep track of where we are among several hundred (or sometimes even just several) unnumbered pages.
- DATED ON THE FIRST PAGE OF EACH ITEM and on the label of every diskette. If the item is a revision of a document previously submitted, it must be clearly labeled (REVISED), with the same title, and with the date it is filed clearly shown. Electronic files must be designated R for revision, when applicable, with an ordinal number showing the revision number.

II. Identifying exhibit numbers; Exhibits on cross examination.

A. Identifying exhibits. It is essential to mark documents so you, opposing counsel, and the Commission can find them. We ask you to comply with this clarification of prior practice, based on recent experience:

- **Use the witness's initials and add an ordinal number for each exhibit.** Identify testimony with a T and confidential exhibits with a C. Example: Witness Jane Quintessentia Public. Her original testimony would be JQP-1T or JQP-1TC, her first attached exhibit would be JQP-2, etc. NEVER identify the attachments merely with a single ordinal number, as that will provide the maximum confusion to everyone, including your witness.

B. Prepare a list of your exhibits with their title and (JQP) designation in digital form and in a format specified by the Commission. Send it to the presiding officer before the appropriate prehearing conference. That will simplify identification and ease administrative burdens.

NOTE: Be prepared to submit all of your possible exhibits on cross examination several days prior to the hearing. We will attempt to schedule a prehearing conference to deal with the exhibits as close as possible to the hearing itself, but we have administrative needs that require prefiling.