

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION,

Complainant,

v.

AVISTA CORPORATION, d/b/a
AVISTA UTILITIES,

Respondent.

DOCKETS UE-190334, UG-190335,
and UE-190222 (*Consolidated*)

ORDER 08

GRANTING MOTION TO MODIFY
PROCEDURAL SCHEDULE;
NOTICE OF EVIDENTIARY AND
SETTLEMENT HEARING

**(Set for Wednesday, December 11,
2019, at 9:30 a.m.)**

BACKGROUND

- 1 On April 30, 2019, Avista Corporation, d/b/a Avista Utilities (Avista or Company), filed with the Washington Utilities and Transportation Commission (Commission) revisions to its currently effective Tariff WN U-28, Electric Service, in Docket UE-190334 and revisions to its currently effective Tariff WN U-29, Natural Gas, in Docket UG-190335.
- 2 On March 29, 2019, Avista filed with the Commission tariff revisions designed to rebate to customers approximately \$34.4 million in Docket UE-190222, referenced as its Energy Recovery Mechanism (ERM) filing.
- 3 On May 30, 2019, the Commission issued Order 03, consolidating Dockets UE-190334, UG-190335, and UE-190222.
- 4 On October 24, 2019, the Commission issued Order 06/02/02/01 in Dockets UE-190334, UG-190335, and UE-190222 (*consolidated*), and Dockets UE-190324 and UE-190458, initiating an investigation in Docket UE-190882 into the prudence of decisions made and actions taken by each company providing electric service to Washington customers leading up to the 2018 Colstrip outage and the costs incurred by each company to acquire

replacement power. Those issues, as applicable to Avista, were removed from these consolidated dockets and will be resolved in Docket UE-190882.

- 5 On November 7, 2019, Avista filed a motion to modify the procedural schedule in these consolidated dockets to accommodate the partial settlement reached by all parties. Avista represented that all parties concurred with its motion. Avista explains in its motion that the parties have reached a settlement in principle for all matters except decoupling and the remaining issues related to Avista's ERM that were not moved to Docket UE-190882. Avista requests a November 21, 2019, deadline for filing the parties' Settlement Stipulation, and a November 26, 2019, deadline for filing the parties' Joint Testimony in Support of the Settlement Stipulation . No other modifications were proposed to the procedural schedule.

DISCUSSION

- 6 We grant Avista's motion to modify the procedural schedule, as requested. The Commission supports the informal settlement of matters before it, and encourages parties to engage in alternative dispute resolution. The parties to this matter have reached a partial settlement that resolves nearly all issues presented, with the exception of decoupling and issues in Docket UE-190882 unrelated to the 2018 Colstrip outage. Accordingly, we find good cause to grant Avista's motion to modify the procedural schedule to accommodate the filing deadlines proposed for the Settlement Stipulation and Joint Testimony in Support of the Settlement Stipulation. The procedural schedule is modified as requested and is attached to this Order as Appendix A.
- 7 Avista's motion leaves all other procedural dates in place. This includes the evidentiary hearing date beginning on December 11, 2019, the schedule established for the ERM for issues that will not be addressed in Docket UE-190882, and the January 8, 2019, hearing on those issues.
- 8 Accordingly, we give notice that the evidentiary hearing set to begin on December 11, 2019, at 9:30 a.m. in this matter will address the parties' proposed settlement and the remaining decoupling issue. The evidentiary hearing set to begin on January 8, 2019, will address issues related to the ERM that were not moved to Docket UE-190882.

ORDER

- 9 (1) Avista Corporation, d/b/a Avista Utilities', motion to modify the procedural schedule in Dockets UE-190334, UG-190335, and UE-190222 (*consolidated*) is GRANTED.
- 10 (2) The procedural schedule in Dockets UE-190334, UG-190335, and UE-190222 (*consolidated*) is modified as requested by Avista Corporation, d/b/a Avista Utilities, and is attached to this Order as Appendix A.
- 11 (3) The Commission gives notice that the evidentiary hearing set to begin on December 11, 2019, at 9:30 a.m. will also be a settlement hearing for consideration of the parties' partial settlement.

DATED at Olympia, Washington, and effective November 8, 2019.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

/s/ *Andrew J. O'Connell*
ANDREW J. O'CONNELL
Administrative Law Judge

APPENDIX A
PROCEDURAL SCHEDULE
DOCKETS UE-190334, UG-190335, UE-190222
modified 10/24/19 and 11/08/19

EVENT	DATE
Prehearing Conference	May 24, 2019
Modified Protective Order (Order 02 (Modified))	May 30, 2019
Prehearing Conference Order (Order 03)	May 30, 2019
Deadline for Petitions to Intervene	June 19, 2019
Deadline for Responses to Petitions to Intervene	June 25, 2019
Initial Settlement Conference ¹	September 19, 2019
Staff, Public Counsel, and Intervenor Response Testimony and Exhibits ²	October 3, 2019³
Avista Circulates Joint Issues Matrix	October 10, 2019
Docket UE-190222: Staff, Public Counsel, and Intervenor Response Testimony and Exhibits ⁴	October 28, 2019
Settlement Conference	October 29, 2019
Avista Rebuttal Testimony and Exhibits; Staff, Public Counsel, and Intervenor Cross-Answering Testimony and Exhibits ⁵	November 21, 2019
Notice Issued for Public Comment Hearing	At least 30 days prior to Public Comment Hearing

¹ Per WAC 480-07-700(3)(a), parties may reschedule a settlement conference included in the procedural schedule without seeking to modify the schedule if all parties agree, but the parties must provide notice to the presiding officer of the rescheduled date.

² Response time to data requests relating to this testimony will be 7 business days.

³ Deadline for Response Testimony in Docket UE-190222 suspended pursuant to Order 04.

⁴ Response time to data requests relating to this testimony will be 5 business days.

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

Public Comment Hearing	October 28, 2019
<u>Settlement Stipulation</u>	<u>November 21, 2019</u>
<u>Joint Testimony in Support of Settlement Stipulation</u>	<u>November 26, 2019</u>
Discovery Deadline – Last Day to Issue Data Requests ⁶	November 26, 2019
Avista Files Joint Issues Matrix	December 3, 2019
Exhibits List, Cross-Examination Exhibits, Witnesses List, Time Estimates, Exhibits Errata	December 5, 2019
<u>Evidentiary and Settlement Hearing</u>	December 11, 2019 at 9:30 a.m.
Docket UE-190222: Avista Rebuttal Testimony and Exhibits; Staff, Public Counsel, and Intervenor Cross-Answering Testimony and Exhibits ⁷	December 13, 2019
Docket UE-190222: Discovery Deadline – Last Day to Issue Data Requests ⁸	December 20, 2019
Docket UE-190222: Exhibits List, Cross-Examination Exhibits, Witnesses List, Time Estimates, Exhibits Errata	December 31, 2019
Docket UE-190222: Evidentiary Hearing	January 8, 2020 at 9:30 a.m.
Post-Hearing Briefs and Updated Joint Issues Matrix ⁹	February 5, 2020
Suspension Date	April 1, 2020

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

⁷ Response time to data requests relating to this testimony will be 3 business days.

⁸ Response time to data requests will be 3 business days.

⁹ Dockets UE-190334, UG-190335, and UE-190222 (*consolidated*).