

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION
COMMISSION

WASHINGTON UTILITIES AND)	
TRANSPORTATION COMMISSION,)	
)	DOCKET UE-011595
Complainant,)	
)	COMPLAINT AND ORDER
vs.)	SUSPENDING TARIFF
)	REVISIONS
AVISTA CORPORATION,)	
)	
Respondent.)	
.....)	

BACKGROUND

1 On December 3, 2001, Avista Corporation (Avista or the Company) filed with the Commission revisions to its currently effective Tariff WN U-28, designated as:

Third Revision Sheet 1	Canceling	Second Revision Sheet 1
Third Revision Sheet 11	Canceling	Second Revision Sheet 11
Third Revision Sheet 21	Canceling	Second Revision Sheet 21
Third Revision Sheet 25	Canceling	Second Revision Sheet 25
Third Revision Sheet 31	Canceling	Second Revision Sheet 31
Second Revision Sheet 41	Canceling	First Revision Sheet 41
Second Revision Sheet 42	Canceling	First Revision Sheet 42
Second Revision Sheet 44	Canceling	First Revision Sheet 44
Third Revision Sheet 45	Canceling	Second Revision Sheet 45
Third Revision Sheet 46	Canceling	Second Revision Sheet 46
Second Revision Sheet 47	Canceling	First Revision Sheet 47
Third Revision Sheet 47A	Canceling	Second Revision Sheet 47A
First Revision Sheet 70-F	Canceling	Original Sheet 70-F
First Revision Sheet 70-J	Canceling	Original Sheet 70-J
First Revision Sheet 70-J.1	Canceling	Original Sheet 70-J.1

The stated effective date is January 15, 2002.

2 First Revision Sheet 93 Canceling Original Sheet 93
The stated effective date is November 1, 2002.

3 Original Sheet 94
The stated effective date is March 15, 2002.

4 The filing would increase charges and rates for electric service provided by Avista. Because those increases might injuriously affect the rights and interests of the public and Avista has not demonstrated that the increases would result in rates that are fair, just, and reasonable, the Commission suspends the tariff filing and will hold public hearings if necessary to determine whether the proposed increases are fair, just, and reasonable.

5 As this proceeding deals with the general rates of Avista, both with respect to the level of charges and to the rules and procedures concerning service, Commission Staff also requested that this Order include a provision that places at issue whether all of the Company's existing electric tariffs produce rates, terms and conditions for electric service are fair, just, reasonable and sufficient. Staff's request is appropriate and should be granted.

FINDINGS

- 6 (1) Avista is an electric company and is a public service company subject to the jurisdiction of the Commission.
- 7 (2) The tariff revisions filed by Avista on December 3, 2001, would increase charges and rates for service provided by Avista, and might injuriously affect the rights and interests of the public.
- 8 (3) Avista has not demonstrated that the increased rates and charges in its tariff revisions would result in rates that are fair, just, and reasonable.
- 9 (4) The proposed tariff filing deals with the general provision of electric service with respect to rates, rules and procedures. It is, therefore, appropriate that we also place at issue whether all the Company's existing tariffs produces, terms and conditions for natural gas service that are fair, just, reasonable and sufficient.
- 10 (4) As required by RCW 80.04.130, Avista bears the burden of proof to show that the proposed increases as well as existing rates are fair, just, and reasonable.
- 11 (5) In order to carry out the duties imposed upon the Commission by law, and as authorized in RCW 80.20.20, the Commission believes it necessary to investigate Avista's books, accounts, practices and activities; to make a valuation or appraisal of Avista's property; and to investigate and appraise various phases of the Company's operations. Avista may be required to pay the expenses reasonably attributable and allocable to the investigation to the extent the requirements for such payment are consistent or authorized by chapter 80.20 RCW.

ORDER

12 THE COMMISSION ORDERS:

- 13 (1) The tariff revisions filed on December 3, 2001, are suspended.
- 14 (2) The Commission will hold hearings at such times and places as may be required.
- 15 (3) Avista Corporation must not change or alter the tariff revisions filed in this docket during the suspension period, unless authorized by the Commission.
- 16 (4) The Commission will institute an investigation of Avista Corporation's books, accounts, practices, activities, property and operations, as described above.
- 17 (5) The discovery rule, WAC 480-09-480, is hereby invoked. Formal discovery may commence immediately. Parties are required to limit discovery to that necessary to their respective cases, and parties should cooperate to facilitate discovery and resolve informally any disputes.
- 18 (6) Avista Corporation may be required to pay the expenses reasonably attributable and allocable to the Commission's investigation to the extent the requirements for such payment are in accordance with the provisions of chapter 80.20 RCW.
- 19 (7) As required by WAC 480-100-193, Avista Corporation must supply a notice to all affected customers in the form and manner specified in WAC 480-80-125.

DATED at Olympia, Washington, and effective this 12th day of December, 2001.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARILYN SHOWALTER, Chairwoman

PATRICK J. OSHIE, Commissioner