

May 6, 2008

**NOTICE GRANTING REQUEST
TO EXTEND FILING DEADLINE
(Deadline for Filing Consumer Notice Extended from
May 5, 2008, to June 5, 2008)**

RE: *Washington Utilities and Transportation Commission v. Avista Utilities*,
Dockets UE-080416 & UG-080417

TO ALL PARTIES OF RECORD:

On April 3, 2008, the Washington Utilities and Transportation Commission (Commission) entered Order 02, Prehearing Conference Order. That Order, among other things, established a deadline for Public Counsel to file a status report regarding its efforts to reach consensus with Avista Corporation d/b/a Avista Utilities (Avista) and Commission Staff¹ (Staff) regarding the format and content of any public notice Avista is required to issue in connection with these proceedings.

On May 6, 2008, Public Counsel filed a status report indicating that representatives of Public Counsel, Avista, and Staff had been conferring regarding the public notice but had not yet completed discussions. Public Counsel requested that a new status report date be set for June 5, 2008. Public Counsel asserted that the additional time for completing the notice will not impair Avista's ability to provide individualized customer notice in advance of public comment hearings.

According to WAC 480-07-385(2), the Commission will grant a continuance if the requesting party demonstrates good cause for the continuance and the continuance will not prejudice any party or the Commission. Public Counsel stated good cause for the continuance and granting the continuance should not prejudice any party or the Commission. Accordingly, the request should be granted. However, in future requests, Public Counsel is cautioned to follow the timing requirements in WAC 480-07-385(3)(a), which require requests to be submitted in advance of the filing date rather than after its expiration.

¹ In formal proceedings, such as this case, the Commission's regulatory staff functions as an independent party with the same rights, privileges, and responsibilities as other parties to this proceeding. There is an "ex parte wall" separating the Commissioners, the presiding Administrative Law Judge, and the Commissioners' policy and accounting advisors from all parties, including regulatory staff. *RCW 34.05.455*.

NOTICE IS HEREBY GIVEN That the deadline for filing a status report on public notice is extended from May 5, 2008, to June 5, 2008.

Sincerely,

PATRICIA CLARK
Administrative Law Judge