

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DOCKET NO. UE-14 \_\_\_\_\_

ATTORNEY'S CLAIM OF CONFIDENTIALITY  
RELATING TO INFORMATION PROVIDED AS PART  
OF AVISTA'S ANNUAL FILING TO REVIEW ERM DEFERRALS

DAVID J. MEYER

VICE PRESIDENT and CHIEF COUNSEL FOR  
REGULATORY AND GOVERNMENTAL AFFAIRS

REPRESENTING AVISTA CORPORATION

1 I, David J. Meyer, represent Avista Corporation. I am Vice President and Chief  
2 Counsel for Regulatory and Governmental Affairs for Avista Corporation (“Avista” or  
3 “Company”) and I am appearing on its behalf in this proceeding.

4 I make this claim of confidentiality pursuant to WAC 480-07-160 (3)(a) because  
5 Avista, through its Direct Testimony, Exhibits and supporting workpapers, is disclosing certain  
6 information that is CONFIDENTIAL and constitutes VALUABLE COMMERCIAL  
7 INFORMATION as defined by WAC 480-07-160 (2) and protected under WAC 480-07-160  
8 and RCW 80-04-095.

9 Any printed information Avista provides will, as required under WAC 480-07-160 and  
10 WAC 480-07-423, be marked as CONFIDENTIAL, submitted on yellow or canary paper, and  
11 will be provided under separate cover. The electronic information Avista provides will be  
12 reproduced separately on a compact disk (CD) and will also be marked as CONFIDENTIAL.

13 The confidential information that Avista is disclosing can be classified into four basic  
14 categories: 1) information pertaining to contract prices, terms and conditions, 2) certain results  
15 providing detailed information on the Company's load and resource positions by month, 3)  
16 Risk Management Policies which contain general policies, guidelines, and position limits, and  
17 4) plant operational data related to the Colstrip plant.

18 Avista herein asserts that the aforementioned information is confidential in that: 1) the  
19 contract information is prohibited, by the contract terms, from public disclosure, 2) making the  
20 load and resource information public will give entities access to competitive information on  
21 future operating plans and market purchase requirements and Avista believes the information  
22 could be used to disadvantage its customers, 3) the Risk Management Policies, if shared with

1 competitors, could also be used to disadvantage Avista's customers, and 4) the operational data  
2 on Colstrip comprises valuable commercial information.

3 I am of the opinion, therefore, that this information is "CONFIDENTIAL," as defined  
4 by WAC 480-07-160, and should be protected from public inspection, examination and  
5 copying, and should be utilized only in accordance with the terms of the Protective Agreement  
6 between Avista Corporation and the Washington Utilities and Transportation Commission, in  
7 Docket No. UE-011595.

8 RESPECTFULLY SUBMITTED this 28<sup>th</sup> day of March, 2014

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David J. Meyer  
Vice President and Chief Counsel for  
Regulatory and Governmental Affairs  
Avista Corporation