

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION
COMMISSION

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|----------------------------------|---|-----------------------|
| In the Matter of the Petition of |) | |
| |) | DOCKET UE-011438 |
| Avista Utilities |) | |
| |) | ORDER GRANTING WAIVER |
| For Waiver of WAC 480-107-060 |) | OF RULES |
| |) | |

BACKGROUND

1 On October 16, 2001, Avista Utilities (Avista) filed with the Commission a petition requesting waiver of WAC 480-107-060. Avista asks for this waiver until August 30, 2002, on the grounds that delaying compliance will result in superior price discovery results. Further, Avista cites difficulty in their financial position as a potential impediment to attracting adequate bids now. We note that the commitment of manpower and services to a formal Request For Proposal (RFP) may risk hardship to Avista in the current circumstances.

2 The reason for this request is prompted by the terms of WAC 480-107-060(2)(a) which require Avista to file a RFP within ninety days of filing Avista's final Least Cost Plan. Avista filed its Least Cost Plan on April 25, 2001.

3 This matter was brought before the Commission at its regularly scheduled open meeting on February 15, 2002. The Commissioners, having been fully advised in the matter, and having determined the following order to be consistent with the public interest, directed the Secretary to enter the following order and related provisions.

FINDINGS

4 (1) Avista is a public service company subject to the jurisdiction of this Commission under the provision(s) of Title 80 RCW.

5 (2) The waiver of WAC 480-107-060 as described above, is reasonable and consistent with the public interest.

ORDER

6 After the effective date of this Order, Avista is hereby granted a waiver of WAC 480-107-060, until August 30, 2002.

- 7 Avista is required by this order to provide the Staff of this Commission a report which covers price discovery information for the period December 1, 2001, through December 31, 2010. This information should cover typical day-ahead opportunities, 30-day opportunities, and year-long contracts, forwards of any length, and any other power product currently known to them. The report will include a description of the routine process of price discovery the Company undertakes. This report will be developed in consultation with Commission Staff and submitted no later than April 30, 2002.

DATED at Olympia, Washington, and effective this 15th day of February 2002.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARILYN SHOWALTER, Chairwoman

RICHARD HEMSTAD, Commissioner

PARTRICK J. OSHIE, Commissioner