

Avista Corp.
1411 East Mission P.O. Box 3727
Spokane, Washington 99220-0500
Telephone 509-489-0500
Toll Free 800-727-9170



December 28, 2010

State of Washington
Washington Utilities and
Transportation Commission
1300 S. Evergreen Park Drive SW
Olympia, WA 98504-7252

Attention: Mr. David W. Danner, Executive Director and Secretary

Tariff WN U-28, Electric Service

Enclosed for filing with the Commission is an electronic copy of the following tariff sheet:

Third Revision Sheet 58A Canceling Second Revision Sheet 58A

The purpose of this filing is to pass through a new 6% utility tax imposed on gross revenue from the business of selling, delivering, or distributing electricity or electrical energy in the City of Washtucna in accordance with Ordinance No. 239. This tax is requested to become effective February 1, 2011 and is estimated to increase annual revenue by approximately \$12,500.

Electric customers in the City of Washtucna will see the following notice on their bills for one billing cycle beginning February 1:

WASHTUCNA IMPOSES NEW 6% ELECTRIC
UTILITY TAX EFFECTIVE FEB 1 PER ORD. 239

The Company requests that the Commission approve the proposed tariff changes included in this filing to be effective February 1, 2011. Enclosed is a copy of the pertinent city ordinance, as well as a "Notice of Tariff Change" which will be posted in all Company offices coincident with the date of this filing.

Questions or comments regarding this filing should be directed to Joe Miller at (509) 495-4546.

Sincerely,

A handwritten signature in cursive script that reads "Kelly Norwood".

Kelly Norwood
Vice President, State & Federal Regulation
Enclosures

AVISTA CORPORATION
DBA AVISTA UTILITIES

NOTICE OF TARIFF CHANGE
(Electric Service Only)

Notice is hereby given that the "Sheet" listed below of Tariff WN U-28, covering electric service, has been filed with the Washington Utilities and Transportation Commission at Olympia:

Third Revision Sheet 58A Canceling Second Revision Sheet 58A

The purpose of this filing is to pass through a new 6% utility tax imposed on gross revenue from the business of selling, delivering, or distributing electricity or electrical energy in the City of Washtucna in accordance with Ordinance No. 239. This tax is requested to become effective February 1, 2011 and is expected to increase annual revenue by approximately \$12,500.

Copies of the proposed tariff changes are available for inspection in the Company's offices and on the Company website at www.avistautilities.com/services/energypricing.

Issue Date: December 28, 2010
Post Until: January 31, 2011

Town of Washtucna
165 S. Main Street
P.O. Box 713
WASHTUCNA, WA 99371-0713
Phone (509) 646-3253 Fax (509) 646-1913
Email: clerk@washtucna.com

December 9, 2010

Avista
Nancy Holmes
PO Box 3727 MSC 68
Spokane, WA 99220


Dear Ms. Holmes,

Enclosed is a copy of Town of Washtucna Ordinance 239, dated November 10, 2010.

Also enclosed is a map showing the city limits. In addition to the map, we have annexed some property to the north and west into the town. In addition to what is shown, McGregor Co. 1047 S Highway 261, Union Elevator on S Highway 261, and Joe and Carol Thompson at 2077 E Highway 26.

We understand that due to the timing of this ordinance it may not be implemented until February 1, 2011.

Thank you,


Syd Sullivan
Mayor

ORDINANCE NO. 239

AN ORDINANCE IMPOSING A UTILITY TAX.

Be it ordained by the Town Council of the Town of Washtucna, Washington, as follows:

Section 1: Exercise of power to license for revenue. The provisions of this ordinance shall be deemed an exercise of the power of the Town to license for revenue.

Section 2: Definitions. In construing the provisions of this ordinance, except when otherwise declared or clearly apparent from the context, the following definitions shall be applied:

“Business” means and includes all activities engaged in with the object of gain, benefit or advantage to the taxpayer or to another person or class, directly or indirectly.

“Gross income” means the value proceeding or accruing by reason of the transaction of the business engaged in and without deduction on account of the cost of the property sold, the cost of materials used, labor costs, interest, discount, delivery costs, taxes or any other expense whatsoever paid or accrued and without any deduction on account of losses, except as otherwise provided for in this ordinance. Gross income does not include charges which are passed on to subscribers or customers by a taxpayer pursuant to tariffs required by regulatory order to compensate for the cost to the taxpayer of the tax imposed by this ordinance.

“Quarterly period” means a three-month period beginning the first day of the following months: January, April, July and October.

“Taxpayer” means and includes any person, firm or corporation liable for the utility tax imposed by this ordinance.

“Tax year” or “taxable year” means either the calendar year or the taxpayer’s fiscal year when permission is obtained from the clerk/treasurer to use a fiscal year in lieu of a calendar year.

“Town” means the Town of Washtucna, Washington.

“Value proceeding or accruing” means the consideration, whether money, credits, rights or other property expressed in terms of money, actually received or accrued. The terms shall be applied, in each case, on a cash-receipts or accrual basis according to which method of accounting is regularly employed in keeping the books of the taxpayer.

Section 3: Imposed--Amount. There is levied and there shall be collected from every person, firm or corporation engaged in the business activities hereinafter set forth, for the act or privilege of engaging in such activities within the Town, a tax to be known as a “utility tax” in the amounts to be determined by the application of rates herein stated against gross income, as follows:

A. Upon every person, firm or corporation engaged in or carrying on a business of sale, delivery or distribution of electricity and electrical energy, a tax equal to six percent (6%) of the total gross income derived from the sales of such electricity to ultimate users in the Town.

B. Upon every person, firm or corporation engaged in or carrying on the business of sale, delivery, distribution or furnishing of natural gas for domestic, business or industrial consumption, a tax equal to six percent (6%) of the total gross income derived from such sales to ultimate users in the Town.

C. Upon every person, firm or corporation engaged in or carrying on a cable television business, a tax equal to six percent (6%) of the total gross income from such business in the Town.

D. Upon every person, firm or corporation engaged in or carrying on a telephone business, or a combined telephone and telegraph business, a tax equal to six percent (6%) of the total gross income, including income from intrastate toll derived from the operation of such business within the Town. The statutory definitions of "telephone business" and "competitive telephone service," as set forth in RCW 82.04.065 and as hereafter amended, are adopted for purposes of this ordinance.

Section 4: Deductions. In computing the tax levied under this ordinance, there shall be deducted from the gross income any income derived from transactions in interstate or foreign commerce or from any business which the Town is prohibited from taxing under the Constitutions of the United States or the state of Washington.

Section 5: Quarterly installments--Due date. The tax imposed by this ordinance shall be due and payable in quarterly installments. Remittance shall be made on or before the thirtieth (30th) day of the month next succeeding the end of the quarterly period for which the tax accrued, that is on January 30th, April 30th, July 30th and October 30th of each year. The remittance shall be made to the Clerk/Treasurer and accompanied by a return on a form to be provided and prescribed by the Clerk/Treasurer. On the return the taxpayer shall be required to swear or affirm that the information therein given is full and true and that the taxpayer knows the same to be so.

Section 6: Delinquency penalty--Collection.

A. If payment of any fee or tax due under this ordinance is not received by the Clerk/Treasurer on or before the day it becomes due, there shall be added a penalty in interest as follows:

1. One to forty days delinquency, ten percent (10%) of such delinquency;
2. Forty-one to seventy days delinquency, fifteen percent (15%) of such delinquency; and
3. Seventy-one or more days delinquency, twenty percent (20%) of such delinquency.

B. Any tax due under this ordinance and unpaid, and all penalties thereon, shall constitute a debt to the Town and may be collected by court proceedings, which remedy shall be in addition to all other remedies.

Section 7: Overpayment. Any money paid to the Town through error or otherwise not in payment of the tax imposed hereby or in excess of such tax shall, upon request of the taxpayer, be credited against any tax due or to become due from such taxpayer hereunder or, upon taxpayer's ceasing to do business in the Town, be refunded to the taxpayer.

Section 8: Recordkeeping--Inspection. It shall be the duty of every person, firm or corporation subject to the provisions of this ordinance to keep and preserve for a period of five (5) years such books and records as will accurately reflect the amount of gross income from which can be determined the amounts of any fee or tax for which there may be liability under the provisions of this ordinance. The term "books and records" as used in this section, includes the taxpayer's copies of federal excise tax returns, state of Washington excise tax returns and copies of excise tax audits made by the United States or the state of Washington, and furnished to such person, firm or corporation if any. The taxpayer's books and records shall be opened for examination at all reasonable times by the Clerk/Treasurer or a duly authorized representative.

Section 9: Administration--Rules. The Clerk/Treasurer is authorized to adopt, publish and enforce, from time to time, such rules and regulations for the proper administration of this ordinance as

shall be necessary.

Section 10: Annexation--Copies of ordinance provided. Whenever the boundaries of the Town are extended by annexation, all persons, firms and corporations subject to this ordinance will be provided copies of the annexation ordinance by the Town.

Section 11: Violation--Penalty. Any person, firm or corporation subject to this ordinance who fails or refuses to make such tax return or to pay such tax when due, or who makes any false statement or representation in or in connection with any such application for such tax return, or who otherwise violates or refuses or fails to comply with the provisions of this ordinance, or with any rule or regulation promulgated hereunder, is guilty of a misdemeanor.

Section 12: Any ordinance or parts of ordinances in conflict herewith are hereby repealed. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason declared or held to be invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 13: This ordinance shall take effect and be in full force beginning January 1, 2011.

PASSED by the Washtucna Town Council this 10th day of November, 2010.

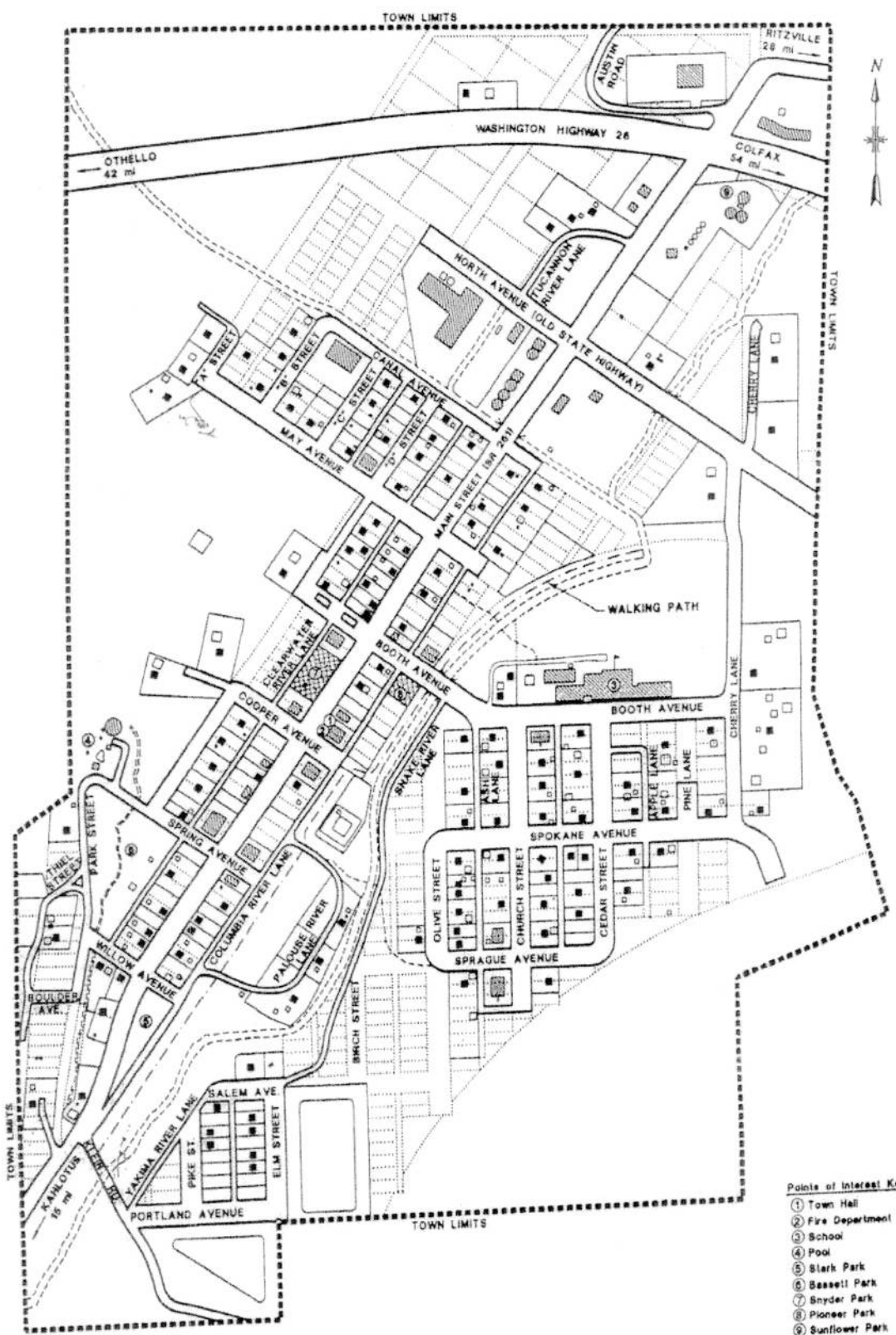


Mayor

ATTEST:



Town Clerk



- Points of Interest Key**
- ① Town Hall
 - ② Fire Department
 - ③ School
 - ④ Pool
 - ⑤ Stark Park
 - ⑥ Bassett Park
 - ⑦ Snyder Park
 - ⑧ Pioneer Park
 - ⑨ Sunflower Park

0 100 200
 APPROXIMATE HORIZONTAL SCALE IN FEET
 DATE: 02/13/2002
 APPR: JAW APPROX. 1:200
 DES: JAW
 NEW MAP.DWG

**ap anderson
 berry**
 ENGINEERS, ARCHITECTS, PLANNERS
 12 SAUNDERS, DR. WASH. PARK, N.E. BASTIEN CITY, OR

TOWN OF WASHTUCNA

STREET MAP