BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

|  |  |
| --- | --- |
| WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION,  Complainant, v.AVISTA CORPORATION, d/b/a AVISTA UTILITIES,  Respondent.WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION,Complainant,v.AVISTA CORPORATION d/b/a AVISTA UTILITIES, Respondent. | DOCKETS UE-120436/UG-120437 (*consolidated)*DOCKETS UE-110876/UG-110877 *(consolidated)*COMMISSION STAFF RESPONSE TO AVISTA CORPORATION MOTION FOR LEAVE TO FILE LETTER OF CLARIFICATION |

 Commission Staff responds to Avista’s May 15, 2012, “Motion for Leave to File Letter of Clarification” (Motion). Avista seeks a Commission order placing into the record an Avista letter, which the Company attached to its Motion. That letter is Avista’s response to what the Company thinks is “confusion” allegedly created by a statement made by Commission Staff employee Ms. Breda at the Commission’s April 26, 2012, open public meeting. At that meeting, the Commission suspended Avista’s tariff revisions.

Though styled as a “Motion for Leave to File Letter of Clarification,” Avista’s motion is a simple recitation of information contained in Avista’s direct case, which has been on file with the Commission since early April. The Company already has missed one opportunity to address the alleged “confusion” it has identified: Avista personnel attending the April 26, 2012, open public meeting, particularly Mr. Kelly Norwood (the signatory to the letter which Avista wants admitted into the record) easily could have approached the podium and offered a comment. The Commission has provided Avista yet another opportunity: the Company’s rebuttal case is due to be filed October 19, 2012.

 Though ultimately, Staff believes the substance of the Motion is innocuous, Staff’s preference is for the Commission to deny the Motion, because it is unnecessary and it burdens the record (albeit slightly).

Dated this 24th day of May 2012.

 Respectfully submitted,

ROBERT M. MCKENNA

Attorney General

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

DONALD T. TROTTER

Assistant Attorney General

Counsel for Washington Utilities and

Transportation Commission Staff