

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION,

Complainant,

v.

AVISTA CORPORATION, d/b/a
AVISTA UTILITIES,

Respondent.

DOCKETS UE-260007 and
UG-260008 (*Consolidated*)

ORDER 03

PREHEARING CONFERENCE
ORDER; NOTICE OF HEARING
**(Hybrid Evidentiary Hearing set
for September 17-18, 2026, at 9
a.m.)**

- 1 **NATURE OF PROCEEDING.** On January 16, 2026, Avista Corporation d/b/a Avista Utilities (Avista or Company) filed with the Washington Utilities and Transportation Commission (Commission) revisions in Docket UE-260007 to its currently effective electric service tariff, Tariff WN U-28, and in Docket UG-260008 to its currently effective natural gas service tariff, Tariff WN U-29. These filings would increase rates and charges for electric and natural gas service provided to customers in the state of Washington.
- 2 In this filing, Avista proposes a Four-Year Rate Plan, which would begin with new base rates effective January 1, 2027 (Rate Year 1), January 1, 2028 (Rate Year 2), January 1, 2029 (Rate Year 3), and January 1, 2030 (Rate Year 4). Avista proposes electric and natural gas rate increases based on a proposed rate of return of 7.50 percent (with 48.5 percent equity and a 10.20 percent return on equity for Rate Years 1 and 2). Avista further proposes electric and natural gas rate increases based on a proposed rate of return of 7.67 percent (with 48.5 percent equity and a 10.50 percent return on equity for Rate Years 3 and 4).
- 3 For Rate Year 1, Avista proposes an increase to electric base revenue of \$111.046 million, or 16.5 percent, and an overall increase to natural gas base revenue of \$12.434 million, or 8.9 percent. For Rate Year 2, Avista proposes an increase to electric base revenue of \$42.470 million, or 5.4 percent, and an overall increase to natural gas base revenue of \$6.503 million, or 4.3 percent. For Rate Year 3, Avista proposes an increase to electric base revenue of \$33.464 million, or 4.1 percent, and an overall increase to natural gas base revenue of \$5.928 million, or 3.7 percent. For Rate Year 4,

Avista proposes an increase to electric base revenue of \$27.915 million, or 3.3 percent, and an overall increase to natural gas base revenue of \$3.114 million, or 1.9 percent.

4 **CONFERENCE.** The Commission convened a Prehearing Conference virtually, on February 11, 2026, before Administrative Law Judges Ann Paisner and Connor Thompson.

5 **REPRESENTATIVES.** Anni Glogovac represents Avista. Lisa W. Gafken, Assistant Attorney General, represents Commission staff (Staff). Tad Robinson O'Neill, Assistant Attorney General, represents the Public Counsel Unit of the Attorney General's Office (Public Counsel). Tyler Pepple of Pepple Moser, P.C. represents the Alliance of Western Energy Consumers (AWEC). Justina Caviglia of Parsons Behle & Latimer, represents Walmart, Inc. (Walmart). Aaron Stanton of Shute, Mihaly & Weinberger represents The Energy Project (TEP). Contact information for the representatives of those granted party status is attached as Appendix A to this Order.

6 **PETITIONS FOR INTERVENTION.** AWEC, Walmart, and TEP (Petitioners) timely filed petitions to intervene. No party objected to their petitions. No new parties appeared at the Prehearing Conference seeking to intervene. As no party objected to the Petitioners' petitions to intervene, the presiding administrative law judge granted the petitions during the Prehearing Conference.

7 **PROTECTIVE ORDER.** As part of its January 16, 2026, initial filing, the Company simultaneously filed a Motion for a Protective Order Pursuant to WAC 480-07-420, submitted, During the February 11, 2026, Prehearing Conference, the presiding administrative law judge granted that request. The Commission memorialized the granting of that request for a protective order and set forth protective provisions in Order 02 of this docket.

8 **DISCOVERY.** Order 01 provides that discovery will be conducted under the Commission's discovery rules, WAC 480-07-400 – 425. The Commission urges the parties to work cooperatively together to avoid having to bring discovery matters forward for formal resolution. Prior to bringing a discovery matter to the presiding officer's attention, the parties shall first consult with one another. Response times to data requests are adjusted as set forth in the Procedural Schedule, discussed below, and attached to this Order as Appendix B.

9 Additionally, the Commission believes it will aid discovery in this case if all responses to data requests are shared with all parties. No party objected to the Commission making the exchange of data request responses with all parties a requirement for discovery in this proceeding. Accordingly, the Commission requires the parties to share every data request response with all parties, subject to any confidentiality limitations contained in Commission rule or in the Protective Order, Order 02, issued in this

docket. Parties are also reminded that data requests will continue to be categorized by issue. To clarify, data requests and responses are not shared with the presiding officer unless those responses are offered as exhibits to be admitted into the record.

- 10 **PROCEDURAL SCHEDULE.** Prior to the Prehearing Conference, the parties agreed to a proposed procedural schedule that includes a September 17-18, 2026, evidentiary hearing. Staff, AWEC, TEP, Walmart, and Public Counsel support this proposal. The Commission adopts the procedural schedule proposed by Staff and agreed to by the parties, with some modifications. The Commission declines at this time to set target dates for issuing a final order in this docket and for a compliance filing and staff review of a compliance filing. The Commission will endeavor to issue a decision as soon as practicable given the administrative needs of the Commission. The procedural schedule is attached to this Order as Appendix B. The parties may reschedule the settlement conferences without seeking to modify the schedule if the parties agree, but the parties must provide notice to the presiding officer of the rescheduled dates.¹
- 11 In the cover letter Avista submitted along with its January 16, 2026, initial filing, the Company requests a January 1, 2027, effective date even though Avista's filed tariffs for each proposed rate schedule provide for an effective date of February 15, 2026. Avista states in its cover letter that it consents to any waivers of the suspension period deemed necessary to accommodate the January 1, 2027, effective date, to allow time for the processing of a tariff compliance filing following issuance of a final order in this general rate case. While the Commission cannot approve a January 1, 2027, effective date at this time, the Commission anticipates that replacement tariff pages included in the compliance filing submitted at the end of this proceeding will reflect Avista's requested January 1, 2027, effective date, and that the compliance review process can be completed within the requested time period to accommodate an effective date of January 1, 2027.
- 12 **INTERVENOR FUNDING.** At the Prehearing Conference, the presiding administrative law judge granted case certification status to AWEC and TEP. Proposed budgets are due **Friday, March 13, 2026**, as set forth in Appendix B below.
- 13 **DOCUMENT FILING AND SERVICE REQUIREMENTS; MOTION TO REMOVE THE PAPER COPY REQUIREMENT.** Parties must file and serve all pleadings, motions, briefs, and other pre-filed materials in compliance with all of the following requirements:
- (a) Parties must submit electronic copies of all documents by 5 p.m. on the filing

¹ WAC 480-07-700(5)(a).

deadline established in the Procedural Schedule (or other deadline as applicable) unless the Commission orders otherwise. Parties must comply with WAC 480-07-140(6) in formatting, organizing, and identifying electronic files. Documents that include information designated as confidential must comply with the requirements in WAC 480-07-160 and the Protective Order in these dockets.

- (b) The Commission accepts only electronic versions of documents for formal filing. The Commission requires electronic copies to be in searchable pdf format (adobe acrobat or comparable software) or to otherwise comply with WAC 480-07-140(6)(a). Parties must submit documents electronically through the Commission's web portal (www.utc.wa.gov/e-filing). If a party is unable to use the web portal to submit documents for filing, the Commission will accept a submission via email to records@utc.wa.gov provided the email: (1) explains the reason the documents are not being submitted via the web portal, and (2) complies with the requirements in WAC 480-07-140(5)(b).
- (c) If any of the exhibits contain information designated as confidential, parties must file an electronic copy of the redacted version in searchable PDF (Adobe Acrobat or comparable software) of each such exhibit.
- (d) Motion to Remove the Paper Copy Requirement. At the February 11, 2026, Prehearing Conference Public Counsel made an oral motion (Motion) not to include the requirement for parties to provide the Commission five paper copies of each submission when filing testimony, exhibits, or post-hearing briefs in this docket. Public Counsel noted that while it will accommodate the Commission's preference on this issue, the parties no longer exchange paper copies among themselves and find it functional to exchange filings electronically to relieve the administrative burden of this requirement.² Staff and AWEC joined the request, Avista has no issue with the request, and TEP and Walmart had no objection.³ Staff strongly urged the Commission to remove the paper copy requirement. Staff stressed that the requirement puts significant strain on the Staff, and that while they will comply with the Commission's preference it greatly desires to be free of the paper copy requirement.⁴ AWEC added that its membership includes several paper manufacturers and it still

² Robinson O'Neill, TR at 17:9-21, 18:13-18.

³ Glogovac, TR at 18:3-4; Gafken, TR at 17:22-23; Pepple, TR at 18:1-2; Stanton, TR at 18:5-6; Caviglia, TR at 18:7-8

⁴ Gafken, TR at 18:19—19:3.

favors doing away with the requirement.⁵

Considering the burdensome nature of the paper copies requirement, Staff and AWEC's strong support for Public Counsel's Motion and the lack of objection from the remaining parties to this proceeding, the Commission finds good cause to GRANT Public Counsel's Motion and will not include the paper copy submission requirement with other document filing and service requirements in this docket. However, the Commission retains the discretion to modify this requirement at a later date should the Commission determine paper copies necessary.

- (e) Parties must electronically serve the other parties and provide courtesy electronic copies of filings to the presiding administrative law judges (connor.thompson@utc.wa.gov and ann.paisner@utc.wa.gov) by 5 p.m. on the filing deadline unless the Commission orders otherwise. Pursuant to WAC 480-07-365(2)(c), all electronic documents submitted to the Commission must also be delivered to all parties and the presiding administrative law judge "at the same time" that the documents are submitted to the Commission or shortly thereafter. Please note as well that failing to provide a courtesy copy to the presiding administrative law judge may result in a delayed ruling on a motion or other filing. If parties are unable to email copies, they may furnish electronic copies by delivering them on a flash drive only.

14 **EXHIBITS FOR CROSS-EXAMINATION.** Parties are required to file with the Commission and serve all proposed cross-examination exhibits by **5 p.m., Thursday, September 3, 2026**. The Commission requires electronic copies in searchable PDF (Adobe Acrobat or comparable software). If any of the exhibits contain information that is designated as confidential, parties must file an electronic copy of the redacted version in searchable PDF (Adobe Acrobat or comparable software) of each such exhibit. The exhibits must be grouped according to the witness the party intends to cross-examine with the exhibits.

15 **EXHIBIT LISTS.** With each submission of pre-filed testimony and exhibits, the party making the submission must include a preliminary exhibit list that identifies each submitted exhibit in the format the Commission uses for the exhibit lists it prepares for evidentiary hearings. The Company will prepare its preliminary exhibit list and circulate it to the parties. Each party must file and serve a final list of all exhibits the party intends to introduce into the evidentiary record, including all pre-filed testimony and exhibits, as well as cross-examination exhibits by **5 p.m., Thursday, September**

⁵ Pepple, TR at 19:4-7.

3, 2026.

- 16 **CROSS-EXAMINATION TIME ESTIMATES.** Each party must provide a list of witnesses the party intends to cross-examine at the evidentiary hearing and an estimate of the time that party anticipates the cross-examination of each witness will take. Parties should not file witness lists or cross-examination time estimates but must provide them to the presiding administrative law judges (connor.thompson@utc.wa.gov and ann.paisner@utc.wa.gov) and the other parties by email by **5 p.m., Thursday, September 3, 2026.**
- 17 **PUBLIC COMMENT HEARING.** During the Prehearing Conference, the parties agreed that a public comment hearing should be held in this matter on a date to be scheduled by the Commission between August 26 and September 4, 2026. Given the potential effect on the public, because of the potential impact on customer rates, the Commission believes that it is in the public interest that a public comment hearing be held to receive comments from the public in this matter. Consequently, the Commission will hold a public comment hearing in this docket virtually, at **6:30 p.m., Thursday, August 27, 2026.** Avista customers will receive notice of the date, time, and access link to the public comment hearing, as well as other information required under WAC 480-90-197 and WAC 480-100-197, at least 30 days prior to the date of the public comment hearing.
- 18 **NOTICE OF EVIDENTIARY HEARING.** The Commission will hold a hybrid evidentiary hearing in this docket on **September 17, 2026, beginning at 9 a.m. and, if necessary, continuing on September 18, 2026.** Parties may attend the hearing in person at the Commission's headquarters or virtually via Zoom. To attend the hearing via Zoom, [click here to join meeting](#),⁶ or call (253) 215-8782 and enter the Conference ID: 811 9386 9284# and use the Passcode: 458488#.
- 19 **ALTERNATE DISPUTE RESOLUTION.** The Commission supports the informal settlement of matters before it. If the Parties reach a settlement in principle and request suspension of the procedural schedule, Avista must inform the Commission whether it is willing to extend the statutory deadline, if necessary, to allow the Commission sufficient time to consider the settlement and take final action in these consolidated proceedings. The Commission may decline to consider a settlement agreement if the Commission determines that it cannot consider the settlement and take final action by the statutory deadline. Ideally, settlement among the parties would arise sooner rather than later during these proceedings, thus resulting in a Commission determination at a

⁶ <https://utc-wa-gov.zoom.us/j/81193869284?pwd=NpGE4NnPDJdbSUOgjIbJheGFLjshaL.1>

much earlier stage

- 20 Parties are also encouraged to consider means of resolving disputes informally. The Commission has limited ability to provide dispute resolution services. If you wish to explore those services, please contact Connor Thompson, Director, Administrative Law Division (connor.thompson@utc.wa.gov or (360) 664-1346).
- 21 The Commission has limited ability to provide dispute resolution services. If you wish to explore those services, please contact Connor Thompson, Director, Administrative Law Division (connor.thompson@utc.wa.gov or (360) 791-4228).
- 22 **NOTICE TO PARTIES:** A party who objects to any portion of this Order must file a written objection within ten (10) calendar days after the service date of this Order, pursuant to WAC 480-07-430 and WAC 480-07-810. The service date appears on the first page of this Order, in the upper right-hand corner. Absent such objection, this Order will control further proceedings in this docket, subject to Commission review.

DATED at Lacey, Washington, and effective March 2, 2026.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

/s/ Ann Paisner
ANN PAISNER
Administrative Law Judge

APPENDIX A
PARTIES' REPRESENTATIVES
DOCKETS UE-260007 & UE260008 (Consolidated)

PARTY	REPRESENTATIVE	PHONE	E-MAIL
Avista Corporation d/b/a/ Avista	Anni Glogovac Counsel for Regulatory Affairs Avista Corporation d/b/a Avista P.O. Box 3727 Spokane, WA 99220-3727	P: 509-495-7341	Anni.Glogovac@avistacorp.com
Commission Staff	Lisa Gafken Jeff Roberson Office of the Attorney General Utilities and Transportation Division P.O. Box 40128 Olympia, WA 98504-7250	P: 360-972-4159 P: 360-810-0509	Lisa.Gafken@atg.wa.gov Jeff.Roberson@atg.wa.gov
Public Counsel	Tad Robinson O'Neill Robert Sykes Alexandra Kory Rachel Breslin Washington Attorney General's Office Public Counsel Unit 800 Fifth Avenue, Suite 2000 Seattle, WA 98104-3188	P:206-254-0570 P: 206-389-2055 P: 206-516-2997	Tad.ONeill@atg.wa.gov Robert.Sykes@att.wa.gov Alexandra.Kory@atg.wa.gov Rachel.Breslin@atg.wa.gov
The Energy Project (TEP)	Aaron Stanton Yochanan Zakai Orran Balagopalan Shute, Mihaly & Weinberger LLP 550 California Street, Suite 1200 San Francisco, California 94104-1054	P: 415-552-7272	stanton@smwlaw.com yzakai@smwlaw.com obalagopalan@smwlaw.com
Alliance of Western Energy Consumers (AWEC)	Tyler Pepple Michelle Madsen Pepple Moser, P.C. 1500 S.W. First Avenue, Suite 980 Portland, Oregon 97201	P: 503-883-8689 P: 503-883-8680	tyler@pepplemoser.com michelle@pepplemoser.com
Walmart, Inc.	Justina A. Caviglia, Esq. Parsons Behle & Latimer 50 West Liberty Street, Suite 750 Reno, Nevada 89501	P: 775-323-1601 F: 775-348-7250	JCaviglia@parsonsbehle.com

**APPENDIX B
PROCEDURAL SCHEDULE
DOCKETS UE-260007 & UG-260008 (Consolidated)**

EVENT	DATE
Company Filing	Fri., Jan. 16, 2026
Prehearing Conference	Wed., Feb. 11, 2026
Intervenor Funding Proposed Budgets	Fri., Mar. 13, 2026
Revenue Requirement Workshop	Fri., Mar. 13, 2026 10:00am - 12:00pm PT
Initial Non-Company Party Settlement Conference ⁷	Thurs., May 14, 2026
Initial Settlement Conference ⁸	Fri., May 22, 2026
Staff, Public Counsel, and Intervenor Response Testimony and Exhibits ⁹	Mon., June 22, 2026
Settlement Conference	Tues., July 14, 2026
Avista Circulates Joint Issues Matrix	Mon., July 20, 2026
Notice Issued for Public Comment Hearing	At least 30 days prior to Public Comment Hearing
Avista Rebuttal Testimony and Exhibits; Staff, Public Counsel, and Intervenor Cross-Answering Testimony and Exhibits ¹⁰	Fri., Aug. 7, 2026
Discovery Deadline – Last Day to Issue Data Requests ¹¹	Mon., Aug. 24, 2026
Public Comment Hearing	Thurs., Aug. 27, 2026
Avista Files Joint Issues Matrix	Thurs., Sept. 3, 2026
Exhibits List, Cross-Examination Exhibits, Witnesses List, Time Estimates, Exhibits Errata	Thurs., Sept. 3, 2026

⁷ Per WAC 480-07-700(5)(a), parties may reschedule a settlement conference included in the procedural schedule without seeking to modify the schedule if all parties agree, but the parties must provide notice to the presiding officer of the rescheduled date.

⁸ Per WAC 480-07-700(5)(a), parties may reschedule a settlement conference included in the procedural schedule without seeking to modify the schedule if all parties agree, but the parties must provide notice to the presiding officer of the rescheduled date.

⁹ Response time to data requests relating to this testimony will be 7 business days.

¹⁰ Response time to data requests will be 5 business days.

¹¹ Response time to data requests will be 5 business days.

Evidentiary Hearing	Thurs.-Fri., Sept. 17-18, 2026
Post-Hearing Briefs and Updated Joint Issues Matrix	Mon., Oct. 19, 2026
Suspension Date ¹²	Tues., Dec. 15, 2026

¹² Based on a 10-month suspension from the stated effective date of February 15, on the as-filed tariff sheets, per RCW 80.04.130.