

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND)	DOCKETS UE-150204 and
TRANSPORTATION COMMISSION,)	UG-150205 (<i>Consolidated</i>)
)	
Complainant,)	ORDER 03
)	
v.)	
)	
AVISTA CORPORATION, DBA)	PREHEARING CONFERENCE
AVISTA UTILITIES,)	ORDER; NOTICE OF HEARING
)	(Set for October 5-8, 2015)
Respondent.)	
)	
.....)	

1 **NATURE OF PROCEEDING.** On February 9, 2015, Avista Corporation, dba Avista Utilities (Avista or Company) filed with the Washington Utilities and Transportation Commission (Commission) revisions to its currently effective Tariff WN U-28, Electric Service. The Company requests authority to increase charges and rates for electric service by approximately \$33.2 million or 6.7 percent in billed rates. This matter has been designated by the Commission as Docket UE-150204.

2 Also on February 9, 2015, Avista filed revisions to its currently effective Tariff WN U-29, Natural Gas Service. In this filing, Avista seeks to increase rates for natural gas service by approximately \$12 million or 6.9 percent in billed rates. This matter has been designated as Docket UG-150205. In Order 01, Complaint and Order Suspending Tariff Revisions and Order of Consolidation, the Commission suspended these tariff revisions and consolidated Dockets UE-150204 and UG-150205 for hearing.

3 **CONFERENCE.** The Commission convened a prehearing conference in these dockets at Olympia, Washington, on March 12, 2015, before Administrative Law Judge Marguerite E. Friedlander.

4 **PARTY REPRESENTATIVES.** David J. Meyer, Vice President and Chief Counsel for Regulatory and Governmental Affairs, Spokane, Washington, represents Avista. Lisa W. Gafken, Assistant Attorney General, Seattle, Washington, represents the Public Counsel Division of the Washington State Attorney General’s Office (Public Counsel). Patrick J. Oshie, Jennifer Cameron-Rulkowski, and Brett P. Shearer, Assistant Attorneys General, Olympia, Washington, represent the Commission’s regulatory staff (Staff).¹

5 Melinda J. Davison and Jesse E. Cowell, Davison Van Cleve, P.C., Portland, Oregon, represent the Industrial Customers of Northwest Utilities (ICNU). Chad M. Stokes and Tommy A. Brooks, Cable Huston, Portland, Oregon, represent the Northwest Industrial Gas Users (NWIGU). Ronald L. Roseman, attorney, Seattle, Washington, represents The Energy Project. Contact information provided at the conference for the parties’ representatives is attached as Appendix A to this order.

6 **PETITIONS FOR INTERVENTION.** The following organizations filed petitions to intervene:

ICNU
NWIGU
The Energy Project

7 Parties did not voice objection to the petitions to intervene. The Commission finds that the petitioners each demonstrated their substantial interest in this proceeding and that their participation will be in the public interest. The petitions to intervene are granted.

8 **CONSENT TO ELECTRONIC SERVICE.** All of the parties have consented to electronic service of process from the other parties.

9 **PROTECTIVE ORDER.** Avista requested that the Commission enter a protective order in this docket under RCW 34.05.446, RCW 80.04.095, WAC 480-07-420 and

¹ In formal proceedings, such as this, the Commission’s regulatory staff participates like any other party, while the Commissioners make the decision. To assure fairness, the Commissioners, the presiding administrative law judge, and the Commissioners’ policy and accounting advisors do not discuss the merits of this proceeding with the regulatory staff, or any other party, without giving notice and opportunity for all parties to participate. *See*, RCW 34.05.455.

WAC 480-07-423 to protect the confidentiality of proprietary information. The request was granted and a protective order, Order 02, entered in this docket.

10 **DISCOVERY.** Discovery will continue pursuant to 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.

11 **PROCEDURAL SCHEDULE.** The parties agreed on a procedural schedule at the prehearing conference. The Commission adopts this procedural schedule, which is attached to this Order as Appendix B.

12 The parties agreed to a shortened response time for data requests received on or after July 27, 2015. Responses to these data requests will be due within seven business days. From September 4, 2015, through the close of discovery, the response time for data requests is five business days.

13 **EXHIBITS FOR CROSS-EXAMINATION.** Parties are required to file with the Commission and submit electronically all proposed cross-examination exhibits on **September 30, 2015**. The Commission requires **six** copies of the fully unredacted version of exhibits. The Commission also requires 1 copy of a redacted set of any confidential or highly confidential exhibits so that these can be made available by the Commission in response to a public records request or posted to the Commission's web pages.

14 **NOTICE OF HEARING.** The Commission will hold an evidentiary hearing in these dockets beginning **October 5, 2015, at 9:30 a.m.**, in the Commission's Hearing Room, Second Floor, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington. The hearing will continue until from day to day thereafter, or as otherwise scheduled, until completed. The Commission may alter this schedule by subsequent notice.

15 **DOCUMENT PREPARATION AND FILING REQUIREMENTS.** Parties must file an original plus **6** copies of all pleadings, motions, briefs, and other prefiled materials. These materials must conform to the format and publication guidelines in WAC 480-07-395 and WAC 480-07-460. The Commission prefers that materials be

three-hole punched with *oversized* holes to allow easy handling. The Commission may require a party to refile any document that fails to conform to these standards.

- 16 All filings must be mailed or delivered to the Executive Director and Secretary, Washington Utilities and Transportation Commission, P.O. Box 47250, 1300 S. Evergreen Park Drive, S.W. Olympia, Washington 98504-7250. Both the post office box and street address are required to expedite deliveries by the U.S. Postal Service.
- 17 An electronic copy of all filings must be provided through the Commission's Web Portal (www.utc.wa.gov/e-filing) or by e-mail delivery to records@utc.wa.gov. Alternatively, parties may furnish an electronic copy by delivering with each filing a 3.5-inch IBM-formatted high-density diskette, CD, or flash drive including the filed document(s). Parties must furnish electronic copies in MS Word 6.0 (or later) supplemented by a separate file in .pdf (Adobe Acrobat) format. Parties must follow WAC 480-07-140(5) in organizing and identifying electronic files.
- 18 **ELECTRONIC SUBMISSION OF DOCUMENTS.** Parties may submit documents electronically to the Commission by 3:00 p.m. on the filing deadline to expedite the filing process, but must file an original, plus **6** paper copies, of the documents with the Commission by 12:00 noon on the first business day following the filing deadline established in the procedural schedule. WAC 480-07-145(6). Parties may submit documents electronically through the Commission's Web Portal (www.utc.wa.gov/efiling) or by e-mail to records@utc.wa.gov. Finally, to perfect filing, parties must simultaneously provide e-mail courtesy copies of filings to the presiding administrative law judge as well as to the parties to the proceeding.
- 19 **ALTERNATE DISPUTE RESOLUTION.** The Commission supports the informal settlement of matters before it. Parties are encouraged to consider means of resolving disputes informally. The Commission does have limited ability to provide dispute resolution services; if you wish to explore those services, please call the Director, Administrative Law Division, at 360-664-1355.

20 **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 the order in the upper right-hand corner. Absent such objection, this Order will control further proceedings in this matter, subject to Commission review.

Dated at Olympia, Washington, and effective March 16, 2015.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARGUERITE E. FRIEDLANDER
Administrative Law Judge

APPENDIX A

**PARTIES' REPRESENTATIVES
DOCKETS UE-150204 & UG-150205**

PARTY	REPRESENTATIVE	PHONE	E-MAIL
Avista	Kelly O. Norwood VP, State & Federal Regulation 1411 E. Mission Avenue, MSC-27 P.O. Box 3727 Spokane, WA 99220-3727	509-495-4267	kelly.norwood@avistacorp.com
	David J. Meyer, Esq. VP and Chief Counsel for Regulatory and Governmental Affairs 1411 E. Mission Avenue, MSC-27 P.O. Box 3727 Spokane, WA 99220-3727	509-495-4316	david.meyer@avistacorp.com
	Patrick Ehrbar	509-495-8620	patrick.ehrbar@avistacorp.com
	Paul Kimball	509-495-4584	avistadockets@avistacorp.com
	Liz Andrews	509-495-8601	liz.andrews@avistacorp.com
Commission Staff	Patrick Oshie Assistant Attorney General 1400 S. Evergreen Park Dr. SW P.O. Box 40128 Olympia, WA 98504-0128	360-664-1188	poshie@utc.wa.gov
	Brett P. Shearer Assistant Attorney General	360-664-1187	bshearer@utc.wa.gov
	Jennifer Cameron-Rulkowski Assistant Attorney General	360-664-1186	jcameron@utc.wa.gov
	Chris Casey Assistant Attorney General	360-664-1189	ccasey@utc.wa.gov
	Krista Gross Legal Assistant		kgross@utc.wa.gov
	Betsy DeMarco Legal Assistant		bdemarco@utc.wa.gov
	Chris McGuire Regulatory Analyst	360-664-1310	cmcguire@utc.wa.gov
	Thomas Schooley Assistant Director, Energy Regulation		tschoole@utc.wa.gov

PARTY	REPRESENTATIVE	PHONE	E-MAIL
Public Counsel	Lisa W. Gafken Assistant Attorney General Public Counsel Section Office of Attorney General 800 5th Avenue, Suite 2000 Mail Stop TB-14 Seattle, WA 98104-3188	206-464-6595	lisa4w@atg.wa.gov
	Lea Fisher		lead@atg.wa.gov
	Carol Baker		carolw@atg.wa.gov
	Chanda Mak		chandam@atg.wa.gov
	Stefanie Johnson		stefaniej@atg.wa.gov
Industrial Customers of Northwest Utilities (ICNU)	ICNU 818 SW 3 rd Avenue #266 Portland, OR 97204		
	Melinda J. Davison Davison Van Cleve, P.C. 333 SW Taylor, Suite 400 Portland, OR 97204	503-241-7242	mjd@dvclaw.com
	Jesse E. Cowell Davison Van Cleve, P.C.	503-241-7242	jec@dvclaw.com
	Jesse O. Gorsuch Paralegal		jog@dvclaw.com
	Michael Gorman		mgorman@consultbai.com
	Bradley Mullins		brmullins@mwanalytics.com
Northwest Industrial Gas Users (NWIGU)	Ed Finklea Executive Director NWIGU 326 Fifth Street Lake Oswego, OR 97034	503-303-4061	efinklea@nwigu.org
	Chad M. Stokes Cable Huston 1001 SW Fifth Avenue, Suite 2000 Portland, OR 97204-1136	503-224-3092	cstokes@cablehuston.com
	Tommy A. Brooks Cable Huston	503-224-3092	tbrooks@cablehuston.com

The Energy Project	Charles Eberdt The Energy Project 3406 Redwood Avenue Bellingham, WA 98225	360-734-5121 Ext. 332	Chuck_eberdt@oppco.org
	Ronald L. Roseman 2011 14 th Avenue East Seattle, WA 98112	206-324-8792	ronaldroseman@comcast.net
	Shawn Collins The Energy Project		shawn_collins@oppco.org
	Michael Karp The Energy Project		michael@awish.net

APPENDIX B
PROCEDURAL SCHEDULE
DOCKETS UE-150204 and UG-150205

EVENT	DATE
Public Notice Report	April 30, 2015
Avista Circulates Joint Issues List	June 11, 2015
Settlement Conference	July 10, 2015
Staff, Public Counsel and Intervenor Response Testimony and Exhibits ²	July 27, 2015
Settlement Conferences	August 6 and 7, 2015
Joint Issues List	August 20, 2015
Company Rebuttal Testimony and Exhibits and Staff, Public Counsel and Intervenor Cross- Answering Testimony and Exhibits ³	September 4, 2015
Public Comment Hearing	TBD (Exact date and location to be determined by separate notice)
Discovery Deadline – Last day to issue Data Requests ⁴	September 22, 2015
Deadline for Filing of Cross-Examination Exhibits	September 30, 2015
Evidentiary Hearing	October 5-8, 2015
Post-hearing Briefs and Updated Issues List	November 4, 2015
Suspension Date	January 11, 2016

² Response time to data requests relating to this testimony will be 7 business days.

³ Response time to data requests relating to this testimony will be 5 business days.

⁴ Response time to data requests will be 5 business days.