## Law Offices

# Duncan, Weinberg, Genzer & Pembroke, P.C.

MELINDA J. DAVISON \*
S. BRADLEY VAN CLEVE \*
MICHAEL T. BROOKS

\*OF COUNSEL

SUITE 2915 1300 S.W. FIFTH AVENUE PORTLAND, OREGON 97201

> (503) 241-7242 TELECOPY (503) 241-8160 dunwei@ibm.net

September 2, 1999

Washington Office
SUITE 800
1615 M STREET, N.W.
WASHINGTON, D.C. 20036
(202) 467-6370

California Office
2105 HAMILTON AVENUE
SUITE 140
SAN JOSE, CALIFORNIA 95125
(408) 558-0950
BARRY F. MCCARTHY
OF COUNSEL

Northeast Regional Office 2700 BELLEVUE AVENUE SYRACUSE, NEW YORK 13219 (315) 471-1318 THOMAS J. LYNCH OF COUNSEL

Carole J. Washburn Secretary Washington Utilities and Transportation Commission 1300 SW Evergreen Park Drive, S.W. Olympia WA 98504-7250

Re:

In the Matter of the Application of Avista Corporation for Authority to Sell its Interest in the Coal-Fired Centrlaia Power Plant

Docket No. UE-991255

Dear Ms. Washburn:

Enclosed please find an original and nineteen copies of the PETITION OF INDUSTRIAL CUSTOMERS OF NORTHWEST UTILITIES FOR LEAVE TO INTERVENE in the above-captioned matter.

Please return one file-stamped copy of the Petition to Intervene in the postage-prepaid envelope provided. Thank you for your assistance.

Sincerely,

Michael T. Brooks

**Enclosures** 

cc: Service List

22.58

#### BEFORE THE

### WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

		UTIL. AND TRAKSP
In the Matter of the Application of	)	~~~ #019 WON
	)	DOCKET NO. UE-991255
AVISTA CORPORATION	)	
	)	PETITION OF INDUSTRIAL
for Authority to Sell Its Interest In the	)	CUSTOMERS OF NORTHWEST
Coal-Fired Centralia Power Plant	)	UTILITIES FOR LEAVE TO
	)	INTERVENE
	)	

Pursuant to WAC 480-09-430, the Industrial Customers of Northwest Utilities ("ICNU") petitions the Washington Utilities and Transportation Commission ("WUTC") to intervene in this proceeding with full party status. In support of its petition, ICNU represents as follows:

1. The business address of ICNU is:

Ken Canon Industrial Customers of Northwest Utilities 825 NE Multnomah, Suite 180 Portland, OR 97232

2. ICNU will be represented in this proceeding by Duncan, Weinberg, Genzer & Pembroke, P.C. All documents relating to these proceedings should be served on ICNU's attorneys and consultants at the following addresses:

PETITION TO INTERVENE OF ICNU - PAGE 1

Melinda J. Davison Michael T. Brooks Duncan, Weinberg, Genzer & Pembroke, P.C. 1300 SW Fifth Avenue, Suite 2915 Portland, OR 97201 (503) 241-7242 phone (503) 241-8160 fax dunwei@ibm.net

Linc Wolverton
East Fork Economics
35011 North Fork Road
PO Box 620
La Center, WA 98629
lwolv@worldaccessnet.com

- 3. ICNU is an incorporated, non-profit association of large industrial electric customers in the Pacific Northwest, with offices in Portland, Oregon. A list of ICNU members is included as Attachment A. Numerous members of ICNU are customers of Avista.
- 4. ICNU's member companies have a substantial interest in the impacts of the sale of Avista Corporation's ("Avista") interest in the Coal-Fired Centralia Power Plant to TECWA Power, Inc., which could effect the rates and quality of service that Avista provides to ICNU's members.
- 5. As described above, ICNU has a direct and substantial interest in this proceeding that will not be adequately represented by any other party, and may be effected by any Commission determination made in connection with these proceedings. It is in the public interest to allow ICNU to intervene in this proceeding. ICNU, therefore, requests that the Commission grant its Petition to Intervene and make ICNU a party to this proceeding

PETITION TO INTERVENE OF ICNU - PAGE 2

6. ICNU believes its participation in this proceeding will assist the Commission in its consideration of the customer impacts of the sale. Furthermore, ICNU's intervention in this proceeding will not unreasonably broaden the issues, burden the record, or delay this proceeding.

WHEREFORE, ICNU respectfully requests that the Commission grant its petition to intervene with full party status in this proceeding.

DATED this 2<sup>nd</sup> day of September, 1999.

DUNCAN, WEINBERG, GENZER & PEMBROKE, P.C.

Melinda J. Davison

Michael T. Brooks

Duncan, Weinberg, Genzer & Pembroke, P.C.

1300 SW Fifth Avenue, Suite 2915

Portland, Oregon 97201

(503) 241-7242 phone

(503) 241-8160 facsimile

DUNWEI@IBM.NET

Of Attorneys for ICNU

# ATTACHMENT A INDUSTRIAL CUSTOMERS OF NORTHWEST UTILITIES

Air Liquide

Air Products

Atlantic Richfield

BFGoodrich Kalama, Inc.

Bellingham Cold Storage

Birmingham Steel

Boeing

Boise Cascade

Coastal St. Helens Chemical

Daishowa America

Davidson Industries, Inc.

Eagle-Picher Minerals, Inc.

**Equilon Enterprises LLC** 

**Evanite Fiber** 

Fort James Corp.

Georgia-Pacific

Hewlett-Packard

Inland Empire Paper Co.

Intel

International Paper

J.R. Simplot

James Hardie Gypsum, Inc.

Lamb Weston

Longview Fibre

Nabisco, Inc.

NorPac Foods

Oregon Steel

Oremet-Wah Chang

PCC Structurals, Inc.

Pioneer Chlore Alkali Co.

Ponderay Newsprint Co.

Pope and Talbot, Inc.

Potlatch Corporation

Simpson Paper

Simpson Timber

Smurfit Newsprint

Sonoco Products Company

Tesoro Northwest Company

Weyerhaeuser

Willamette Industries

### CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the foregoing PETITION OF INDUSTRIAL CUSTOMERS OF NORTHWEST UTILITIES FOR LEAVE TO INTERVENE upon the parties on the official service list in this proceeding by depositing same in the United States Mail at Portland, Oregon, postage prepaid.

DATED this 2<sup>nd</sup> day of September, 1999.

DUNCAN, WEINBERG, GENZER & PEMBROKE, P.C.

By:

Michael T. Brooks