

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND  
TRANSPORTATION COMMISSION,

Complainant,

v.

AVISTA CORPORATION d/b/a  
AVISTA UTILITIES,

Respondent.  
.....

In the Matter of the Petition of

AVISTA CORPORATION d/b/a AVISTA  
UTILITIES,

For an Order Authorizing Implementation  
of a Natural Gas Decoupling Mechanism  
and to Record Accounting Entries  
Associated with the Mechanism.

DOCKETS UE-090134 and  
UG-090135 (consolidated)

DOCKET UG-060518  
(consolidated)

NW ENERGY COALITION'S  
MOTION TO CLARIFY AND  
CORRECT SUPPLEMENTAL  
ORDER

**I. INTRODUCTION**

1           The NW Energy Coalition (“Coalition”) respectfully requests that the Commission clarify and correct a single sentence in the Supplemental Order Temporarily Extending Decoupling Mechanism (“Supplemental Order”) that the Commission entered in these proceedings on June 30, 2009. Our address is 811 First Avenue, Suite 305, Seattle, WA 98104.

**II. APPLICABLE RULES**

2           The Coalition brings this motion under WAC 480-07-835(1) and WAC 480-07-875(2). Both rules provide that a party to an adjudicative proceeding may request that the

Commission correct an obvious or ministerial error in an order. The Coalition is a party to these proceedings and, hence, may pursue such a request with the Commission.

### III. BASIS FOR MOTION

3 Paragraph 11 in the Supplemental Order purports to describe the position that the Coalition took concerning Avista’s request to continue its pilot decoupling mechanism. The second sentence in this paragraph states: “However, NW Energy Coalition expresses its opinion that any later modifications to Avista’s decoupling mechanism should *not* be retroactive to the interim period.” (Emphasis added)

4 This description in Paragraph 11 is incorrect. In fact, we wrote in our Response to Avista’s request that “any such modification [to the pilot decoupling mechanism] should apply not only prospectively...*but also retroactively to and during the interim period.*”<sup>1</sup> As it stands, therefore, the Supplemental Order ascribes a position to the Coalition -- on the retroactivity issue – that is exactly the opposite of the position we took in our Response.

5 For these reasons, Paragraph 11 contains an error that should be corrected under WAC 480-07-835(1) and WAC 480-07-875(2). We ask the Commission to delete the word “not” in the second sentence of Paragraph 11 so that the Supplemental Order accurately describes and reflects the Coalition’s position on the retroactivity issue. We do not ask for any other changes to the Supplemental Order.

---

<sup>1</sup> NW Energy Coalition’s Response to Avista’s Petition to Continue Decoupling Mechanism on an Interim Basis (May 26, 2009), at p. 2. (Emphasis added)

DATED this 9<sup>th</sup> day of July, 2009.

Respectfully submitted,

NW ENERGY COALITION

A handwritten signature in cursive script that reads "Nancy Hirsh".

---

David S. Johnson, Attorney  
Nancy Hirsh, Policy Director