

**BEFORE THE
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION)	DOCKETS UE-240006 and UG-240007 (<i>Consolidated</i>)
)	
Complainant,)	PETITION FOR CASE
)	CERTIFICATION AND NOTICE OF
v.)	INTENT TO REQUEST FUND GRANT
)	OF THE ALLIANCE OF WESTERN
AVISTA CORPORATION d/b/a AVISTA UTILITIES)	ENERGY CONSUMERS
)	
Respondent.)	

1 Pursuant to WAC § 480-07-370(3), Order 02 issued by the Washington Utilities and Transportation Commission (“Commission”) in Docket No. U-210595, and Articles 5.2.1 and 6.2 of the Washington Extended Interim Participatory Funding Agreement (“Extended Interim Agreement”), the Alliance of Western Energy Consumers (“AWEC”) files this Petition for Case Certification (“Petition”) and Notice of Intent to Request Fund Grant (“Notice”) in the above-referenced dockets.

2 As required by Article 6.2 of the Extended Interim Agreement, AWEC is filing this Petition and Notice in advance of the time designated by the Commission. AWEC is also serving this Petition and Notice on Avista Corporation (“Avista”) and each party to this proceeding.

3 Pursuant to Article 6.2, AWEC identifies the Avista Customer Representation Sub-Fund as the fund from which AWEC requests a Fund Grant. AWEC will file a Proposed Budget within 30 days of the date of the Prehearing Conference in these dockets, or at such other time designated by the Commission.

4

The Extended Interim Agreement provides funds “to qualified parties to enable them to advocate on behalf of broad customer interests in proceedings before the [Commission].”¹ To be eligible for funding under the Extended Interim Agreement, a Participating Organization must be (1) case-certified for (2) an Eligible Proceeding. An “Eligible Proceeding” is, among other things, “any proceeding before the Commission carried out in accordance with or under the auspices of the public service laws, Commission regulations, or Commission orders ... directly affecting one or more of the Participating Public Utilities, in which matters materially affecting the public interest are at issue.”²

5

Avista’s 2024 General Rate Case qualifies as an “Eligible Proceeding.” Avista is a Participating Public Utility under the Extended Interim Agreement.³ Additionally, this case will be carried out under the public service laws, namely RCW § 80.28.020, among others, and it will materially affect the public interest. Avista has proposed a Two-Year Rate Plan Two-Year Rate Plan, with new base rates effective December 2024 for Rate Year 1 and December 2025 for Rate Year 2. For Rate Year 1, the Company proposes an electric rate increase of \$77.1 million, or 13.0%, and a natural gas rate increase of \$17.3 million, or 13.6%. For Rate Year 2, Avista proposes an increase of \$53.7 million, or 11.7%, for electric rates and \$4.6 million, or 3.2%, for natural gas rates.⁴ The Commission has already found that these proposed rate increases “might injuriously affect the rights and interest of the public” and has suspended Avista’s proposed tariffs for further investigation.⁵

¹ Extended Interim Agreement, Recitals.

² Extended Interim Agreement, Article 1(c).

³ *Id.* Article 1(g).

⁴ Dockets UE-240006/UG-240007 (*consolidated*), Avista Transmittal Letter at 1 (Jan. 17, 2024).

⁵ Order 01 ¶ 5 (Jan. 31, 2024).

6 Under Article 5.1 of the Extended Interim Agreement, “[o]nly parties that are
case-certified for a particular proceeding will be eligible to receive Fund Grants.” Article 5.2.1
provides the necessary criteria for being case-certified to receive Fund Grants from the Customer
Representation Sub-Fund. AWEC meets each of these criteria.

7 First, AWEC is neither a for-profit organization nor a governmental entity.
AWEC is a non-profit organization formed for the benefit of its members.

8 Second, AWEC represents broad customer interests. AWEC represents the class
of industrial customers that take electric and gas service from Avista and has several members
that are Avista industrial customers. While the Commission declined to specifically define what
constitutes “broad customer interests” in its Policy Statement on Participatory Funding for
Regulatory Proceedings,⁶ RCW § 80.28.430(1), the statute authorizing the Extended Interim
Agreement, explicitly states that “broad customer interests” includes industrial customers.
Moreover, the Commission has previously found that AWEC represents broad customer interests
in Avista proceedings.⁷

9 Third, AWEC has demonstrated in past proceedings that it is able to effectively
represent Avista’s industrial customers. AWEC has been granted intervention, and has fully
participated, in all of Avista’s previous rate cases since 2000. AWEC routinely sponsors
multiple expert witnesses that identify numerous adjustments to Avista’s proposed revenue
requirement. AWEC’s advocacy has directly resulted in lower energy costs both for industrial
customers and for Avista’s customers overall.

^{6/} Docket No. U-210595, Policy Statement ¶ 27 (Nov. 19, 2021).

⁷ Docket Nos. UE-220053/UG-220054, Order 05 ¶ 21 (Mar. 24, 2022).

10 Fourth, no other party to this proceeding (and, thus, no other stakeholder that
could be case-certified) adequately represents the interests of industrial customers. Moreover, as
demonstrated above, the specific interests of industrial customers and the public interest will
benefit from AWEC's participation in this proceeding.

11 Finally, AWEC's request for case-certification will not unduly delay this
proceeding.

12 Accordingly, AWEC respectfully requests that its Petition for Case Certification
be granted as provided in the Interim Agreement.

Dated this 14th day of February, 2024.

Respectfully submitted,

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