

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION,

Complainant,

v.

AVISTA CORPORATION, d/b/a
AVISTA UTILITIES,

Respondent.

DOCKETS UE-190334, UG-190335,
and UE-190222 (*Consolidated*)

ORDER 10

GRANTING PETITION TO AMEND
FINAL ORDER 09 TO REFLECT
MODIFIED STIPULATION

BACKGROUND

- 1 On April 30, 2019, Avista Corporation, d/b/a Avista Utilities (Avista or Company), filed with the Washington Utilities and Transportation Commission (Commission) revisions to its then effective Tariff WN U-28, Electric Service, in Docket UE-190334 and revisions to its then effective Tariff WN U-29, Natural Gas, in Docket UG-190335.
- 2 On May 30, 2019, the Commission consolidated Dockets UE-190334, UG-190335, and UE-190222.
- 3 On November 21, 2019, the Parties filed a partial multiparty settlement agreement (Stipulation). Public Counsel joined the Stipulation, in part, but opposed the portion related to the Company's natural gas revenue requirement.
- 4 On March 25, 2020, the Commission issued Final Order 09 in these consolidated dockets, approving the Stipulation, adopting it, and resolving the remaining contested issues not addressed by the Stipulation (Final Order).
- 5 On December 4, 2020, Avista filed with the Commission a petition, agreed by all parties to the Stipulation (Parties), to modify the Final Order and approve an amendment to the

Stipulation (Petition), along with the Amended Partial Multiparty Settlement Stipulation (Amended Stipulation).¹

DISCUSSION

- 6 We grant Avista’s Petition, as requested. The Commission approves settlements “when doing so is lawful, the settlement terms are supported by an appropriate record, and when the result is consistent with the public interest in light of all the information available to the commission.”²
- 7 The Parties’ agreed amendment to the Stipulation would extend the January 2, 2021, date by which Avista must incorporate feedback from its Energy Efficiency Advisory Group (EEAG) regarding an On-Bill Repayment/Financing Program (Program) into final program terms and design. The Parties make no other modification to the Stipulation. The Parties agree to amend Section 14(d) of the Stipulation to permit Avista until March 3, 2021, to incorporate this feedback, as identified below.³

On-Bill Repayment/Financing Program – Avista will provide a proposal for the Energy Efficiency Advisory Group (EEAG) for on-bill repayment/financing programs for residential and small business customers (Schedules 1, 11, and 101). Avista will incorporate feedback from the EEAG in the final program designs by ~~January 2, 2021~~ March 3, 2021. If Avista and the EEAG reach agreement on program terms and design, the Company will file the programs with the Commission such that the programs are implemented by September 30, 2021. Based on the outcome of discussions with the EEAG, the Company may file small business and residential programs together or individually with the Commission. The Company will file a status report with the Commission if agreement is not reached with the EEAG for

¹ The Amended Stipulation is included as Appendix A to this Order. Appendix A is incorporated into, and made part of, this Order by this reference. In this Order, we briefly summarize the amendment to the Stipulation. To the extent any arguable inconsistency exists between our summary and the terms of the Amended Stipulation, the terms of the Amended Stipulation (Appendix A) control.

² WAC 480-07-750(1).

³ Amended Stipulation at 11, ¶ 14(d).

programs offered to the enumerated customer classes by September 30, 2021. Development costs associated with this program will be recoverable from customers and means of recovery will be addressed in a future GRC.⁴

- 8 Avista and EEAG believe that more time is necessary for Avista to appropriately incorporate the EEAG's feedback into the final Program's terms and designs.⁵ Avista explains that it has made progress in developing the Program and has relayed the results of its research into the Program to the EEAG, but that "the challenges of 2020 have prolonged the timeframe needed to fully develop the desired [Program] offering."⁶ In addition, Avista believes extending the deadline for it to incorporate feedback from the EEAG into the final Program design will not present any issue for compliance with the deadline for implementing the Program or otherwise filing a status report with the Commission by September 30, 2021. We agree.
- 9 Additionally, in the portion of our Final Order pertaining to the EEAG and the Program, we found that "the collaboration proposed by the [Stipulation] to develop and implement various programs is in the public interest. Collaboration between Avista and its low-income stakeholders is valuable because it will encourage cooperative discussions and, potentially, the development of programs that will benefit Avista ratepayers."⁷ The Parties' Amended Stipulation preserves Avista's and the EEAG's ability to collaborate. We therefore find that the Parties' agreed amendment to the Stipulation is, as was the Stipulation, lawful, supported by an appropriate record, and consistent with the public interest in light of all the information available to the Commission. Accordingly, we determine that Avista's Petition should be granted, and the Final Order should be modified to reflect the Amended Stipulation.

⁴ Amended Settlement at 11, ¶ 14(d); Petition at 2-3, ¶¶ 3, 5.

⁵ Petition at 2-3, ¶ 4.

⁶ Petition at 2, ¶ 4.

⁷ *Wash. Utils. & Transp. Comm'n v. Avista Corp., d/b/a Avista Utils.*, Dockets UE-190334, UG-190335, UE-190222 (Consolidated), Final Order 09, 23-24, ¶ 65 (Mar. 25, 2020).

ORDER

- 10 (1) Avista Corporation's, d/b/a Avista Utilities, Petition to Amend Final Order 09 to Reflect the Modified Stipulation, attached to this Order as Appendix A, in Dockets UE-190334, UG-190335, and UE-190222 (*consolidated*) is GRANTED.
- 11 (2) The Commission Secretary is authorized to accept by letter, with copies to all parties to this proceeding, filings that comply with the requirements of this Order.
- 12 (3) The Commission retains jurisdiction to effectuate the terms of this Order.

DATED at Olympia, Washington, and effective December 14, 2020.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER, Chairman

ANN E. RENDAHL, Commissioner

JAY M. BALASBAS, Commissioner

APPENDIX A

**AMENDED MULTIPARTY PARTIAL SETTLEMENT
STIPULATION**