

electric rates. Avista's filing also requests an interim rate increase, subject to refund, for its electric rates.

4 **PETITIONS TO INTERVENE:** The Industrial Customers of Northwest Utilities (ICNU) filed a Petition To Intervene in Docket No. UE-011595. ICNU's Petition was heard at the prehearing conference. There being no objection, and ICNU having demonstrated by its filing both its substantial interest in the proceeding and that its participation would be in the public interest, the Petition is granted. ICNU previously intervened in Docket No. UE-011514.

5 **PARTIES:** David Meyer, General Counsel, represents Avista Corporation. S. Bradley Van Cleve, Davison Van Cleve, P.C., Portland, Oregon, represents ICNU. Robert Cromwell, Assistant Attorney General, Seattle, Washington, represents the Public Counsel Section, Office of Attorney General (Public Counsel); Simon ffitich, Assistant Attorney General, Seattle, Washington, appeared for Mr. Cromwell at prehearing. Donald Trotter, Senior Assistant Attorney General, and Jonathan Thompson, Assistant Attorney General, Olympia, Washington, represent the Commission's regulatory staff (Staff).

6 **DISCOVERY / PROTECTIVE ORDER:** The Commission's discovery rule, WAC 480-09-480, was invoked in both dockets by prior orders. The discovery process ordered in these proceedings deviates from the rule by requiring responses to data requests for the prudence proceeding (No. UE-011514) and during the interim phase of the rate case proceeding (No. UE-011595) to be delivered to the propounding party on the third business day following receipt by the responding party, if the requests are transmitted for delivery by 12:00 noon; requests transmitted for delivery after 12:00 noon on a given day must be responded to by the fourth business day following receipt by the responding party. Requests related to the interim rate phase or the prudence proceeding should be marked with a capital I; all other discovery requests will be deemed to relate to the general rate proceeding.

7 Parties should submit discovery requests to each other, and respond to discovery requests whenever possible, using electronic media, including e-mail and facsimile, to expedite the exchange of information. A discovery contact list reflecting e-mail and facsimile addresses for all parties is attached to this Order as Appendix One.

8 All parties are expected to work cooperatively in the discovery process. If a party objects to a discovery request, that objection should be communicated to the requesting party within 24 hours after the discovery request is received by the intended respondent. The parties should work together to resolve any dispute. If they cannot resolve their dispute, the parties should request a discovery conference with the presiding Administrative Law Judge. Such conferences may be conducted via telephone, or in person, and may be recorded by audio tape without an official court reporter. Notice of discovery conferences will be made to all parties via e-mail; such conferences may be conducted on short notice.

9 **PROCESS AND PROCEDURAL SCHEDULE:** The procedural schedule for both the interim rate phase and the general rate phase is attached to this Order as Appendix Two and is incorporated here by reference. The prudence proceeding (No. UE-011514) will be heard jointly with the interim rate request and will follow the same procedural schedule.

10 **FILING; COPIES OF MATERIALS:** Electronic filing and service, supplemented by hard copy, will be permitted to promote efficiency in this proceeding during the interim phase.¹ Electronic filings may be transmitted via e-mail attachment to: records@wutc.wa.gov. The subject line of the e-mail must include reference to Docket No. UE-011514 or UE-011595, as appropriate.

11 Electronic filing and service must be completed by 2:00 p.m. on the indicated deadline. Parties that file electronically are required to supplement their filing with an original and four (4) paper copies of the filed document to be delivered on the morning following the electronic filing. If supplemental materials cannot be transmitted electronically they should be indexed on an appendix to the electronic filing and 19 paper copies of the supplemental material must be submitted for delivery on the morning following the electronic filing.

12 Parties that do not file electronically must submit an original and 19 copies of the filed document by 4:00 p.m. on the indicated deadline. Hard copy filings must be supplemented within 24 hours by an electronic version of the filed document, submitted by e-mail to records@wutc.wa.gov, or by submitting to the Commission's

¹ Parties may elect to waive receipt of hard copy service, in favor of electronic service only. Parties that elect to waive such service should communicate that fact to all other parties and to the Administrative Law Judge by written communication.

Records Center a 3.5 inch diskette containing the electronic version of the filed document.

- 13 All paper copy filings and supplemental materials should be directed to the Commission Secretary, Washington Utilities and Transportation Commission, P.O. Box 47250, 1300 S. Evergreen Park Drive, S.W. Olympia, Washington 98504-7250, or by hand delivery to the Commission Secretary at the Commission's records center at the Washington Utilities and Transportation Commission, 1300 S. Evergreen Park Drive, S.W., Olympia, Washington, 98504. Both the post office box and street address are required to expedite deliveries by U.S. Postal Service.
- 14 **All paper copies of testimony, exhibits, and briefs are required to conform to the publication guidelines attached to this Order as Appendix Three. Any filing that fails to conform to these standards may be required to be refiled.**
- 15 **NOTICE TO PARTIES:** Any objection to the provisions of this Order must be filed within ten (10) days after the date of mailing of this statement, pursuant to WAC 480-09-460(2). Absent such objections, this prehearing conference order will control further proceedings in this matter, subject to Commission review.

DATED at Olympia, Washington, and effective this 28th day of December, 2001.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DENNIS J. MOSS,
Administrative Law Judge

APPENDIX ONE**SERVICE LIST CONTACT INFORMATION**

<p>Avista David Meyer Senior VP and General Counsel Avista Corporation 1411 E. Mission Avenue P.O. Box 3727 MSC 13 Spokane, WA 99220-3727 phone: (509) 495-4316 fax: (509) 495-4361 e-mail: david.meyer@avistacorp.com</p>	
<p>Industrial Customers Northwest Utilities S. Bradley Van Cleve Davison Van Cleve 1300 SW Fifth Ave., Ste 2915 Portland, OR 97201 Phone: (503) 241-7242 Fax: (503) 241-8160 e-mail: mail@dvclaw.com</p>	
<p>Commission Staff: Don Trotter Asst AG 1400 S. Evergreen Park Dr. S.W. P.O. Box 40128 Olympia, WA 98504-0128 phone: 360-664-1189 fax: 360-586-5522 e-mail: dtrotter@wutc.wa.gov</p>	<p>Jonathan Thompson Asst AG 1400 S. Evergreen Park Dr. S.W. P.O. Box 40128 Olympia, WA 98504-0128 phone: 360-664-1225 fax: 360-586-5522 e-mail: jthomps@wutc.wa.gov</p>
<p>Public Counsel: Robert Cromwell Public Counsel Section Office of Attorney General 900 Fourth Avenue, ste 2000 Seattle, WA 98164-1012 phone: 206-464-7744 fax: 206-389-2058 e-mail: RobertC1@atg.wa.gov</p>	<p>Simon J. ffitc Public Counsel Section Office of Attorney General 900 Fourth Avenue, ste 2000 Seattle, WA 98164-1012 phone: 206-464-7744 fax: 206-389-2058 e-mail: SimonF@ATG.WA.GOV</p>

APPENDIX TWO**PROCEDURAL SCHEDULE**

EVENT	INTERIM RATES (UE-011595) and PRUDENCE (UE-011514)	GENERAL RATES (UE-011595)
Avista Prefiled Direct	December 3, 2001	December 3, 2001
Staff and Intervenor Prefiled Response	February 22, 2002	
Avista Prefiled Rebuttal	March 4, 2002	
Public Comment Hearing in Spokane	T/B/D	
Prehearing Conference	March 8, 2002	
Evidentiary Hearing	March 11-15, 2002 ²	
Simultaneous Briefs	March 22, 2002	
Staff and Intervenor Prefiled Response		June 3, 2002
Avista Prefiled Rebuttal		June 24, 2002
Prehearing Conference		July 5, 2002
Evidentiary Hearing		July 8-12, 22-26, 2002 ³
Public Comment Hearing in Spokane		T/B/D
Initial Briefs		August 16, 2002
Response Briefs		August 23, 2002
SUSPENSION DATE		November 15, 2002

² Open Meeting March 13, 2002

³ Open Meeting July 10, 2002, and July 26, 2002

APPENDIX THREE**PUBLICATION GUIDELINES****I. Requirements for ALL paper copies of testimony, exhibits, and briefs**

The following requirements are restated from and clarify the Commission's rules relating to adjudications.

A. All paper copies of briefs, prefiled testimony, and original text in exhibits must be

- On 8-1/2 x 11 paper, punched for insertion in a 3-ring binder,
- Punched with OVERSIZED HOLES to allow easy handling.
- Double-spaced
- 12-point or larger text and footnotes, Times New Roman or equivalent serif font.
- Minimum one-inch margins from all edges.

Other exhibit materials need not be double-spaced or 12-point type, but must be printed or copied for optimum legibility.

B. All electronic and paper copies must be

- SEQUENTIALLY NUMBERED (all pages). **THIS INCLUDES EXHIBITS.** It is not reasonable to expect other counsel or the bench to keep track of where we are among several hundred (or sometimes even just several) unnumbered pages.
- DATED ON THE FIRST PAGE OF EACH ITEM and on the label of every diskette. If the item is a revision of a document previously submitted, it must be clearly labeled (REVISED), with the same title, and with the date it is filed clearly shown. Electronic files must be designated R for revision, when applicable, with an ordinal number showing the revision number.

II. Identifying exhibit numbers; Exhibits on cross examination.

A. Identifying exhibits. It is essential to mark documents so you, opposing counsel, and the Commission can find them. We ask you to comply with this clarification of prior practice, based on recent experience:

- **Use the witness's initials and add an ordinal number for each exhibit.** Identify testimony with a T and confidential exhibits with a C. Example: Witness Jane Quintessentia Public. Her original testimony would be JQP-1T or JQP-1TC, her first attached exhibit would be JQP-2, etc. NEVER identify the attachments merely with a single ordinal number, as that will provide the maximum confusion to everyone, including your witness.

B. Exhibit Lists: Prepare a list of your exhibits with their title and designation (*e.g.*, JQP-1T: Prefiled Direct Testimony by Jane Quintessentia Public) in digital form and in a format specified by the Commission. Send it to the presiding officer before the appropriate prehearing conference. That will simplify identification and ease administrative burdens.

NOTE: Be prepared to submit all of your possible exhibits on cross examination several days prior to the hearing. We will schedule a prehearing conference to mark and exchange the exhibits as close as possible to the hearing itself, but we have administrative needs that require pre-submission.