

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND)	
TRANSPORTATION COMMISSION,)	DOCKETS UE-140188 and
)	UG-140189 (<i>Consolidated</i>)
Complainant,)	
)	ORDER 03
v.)	
)	PREHEARING CONFERENCE
AVISTA CORPORATION, DBA)	ORDER; NOTICE OF HEARING
AVISTA UTILITIES,)	(Set for September 22, 2014, at
)	9:30 a.m.)
Respondent.)	
)	

.....

1 **NATURE OF PROCEEDING.** On February 4, 2014, Avista Corporation, dba Avista Utilities (Avista or Company) filed with the Washington Utilities and Transportation Commission (Commission) revisions to its currently effective Tariff WN U-28, Electric Service. The Company requests authority to increase charges and rates for electric service by approximately \$18.2 million or 3.8 percent. This matter has been designated by the Commission as Docket UE-140188.

2 Also on February 4, 2014, Avista filed revisions to its currently effective Tariff WN U-29, Natural Gas Service. In this filing, Avista seeks to increase rates for natural gas service by approximately \$12.1 million or 7.8 percent. This matter has been designated as Docket UG-140189. In Order 01, Complaint and Order Suspending Tariff Revisions and Order of Consolidation, the Commission suspended these tariff revisions and consolidated Dockets UE-140188 and UG-140189 for hearing.

3 **CONFERENCE.** The Commission convened a prehearing conference in these dockets at Olympia, Washington, on March 7, 2014, before Administrative Law Judge Marguerite E. Friedlander.

4 **PARTY REPRESENTATIVES.** David J. Meyer, Vice President and Chief Counsel for Regulatory and Governmental Affairs, Spokane, Washington, represents Avista. Lisa W. Gafken, Assistant Attorney General, Seattle, Washington, represents the

Public Counsel Division of the Washington State Attorney General's Office (Public Counsel). Donald T. Trotter and Brett P. Shearer, Assistant Attorneys General, Olympia, Washington, represent the Commission's regulatory staff (Staff).¹

5 Melinda J. Davison and Joshua D. Weber, Davison Van Cleve, P.C., Portland, Oregon, represent the Industrial Customers of Northwest Utilities (ICNU). Chad M. Stokes and Tommy A. Brooks, Cable Huston, Portland, Oregon, represent the Northwest Industrial Gas Users (NWIGU). Ronald L. Roseman, attorney, Seattle, Washington, represents The Energy Project. Contact information provided at the conference for the parties' representatives is attached as Appendix A to this order.

6 **PETITIONS FOR INTERVENTION.** The following organizations filed petitions to intervene:

ICNU
NWIGU
The Energy Project

7 There was no objection to the petitions to intervene. The Commission finds that the petitioners each demonstrated their substantial interest in this proceeding and that their participation will be in the public interest. The petitions to intervene are granted.

8 **CONSENT TO ELECTRONIC SERVICE.** Avista, NWIGU, ICNU, and The Energy Project have consented to electronic service of process from the other parties. Staff and Public Counsel declined.

9 **PROTECTIVE ORDER.** Avista requested that the Commission enter a protective order in this docket under RCW 34.05.446, RCW 80.04.095, WAC 480-07-420 and WAC 480-07-423 to protect the confidentiality of proprietary information. The request was granted and a protective order entered in this docket.

¹ In formal proceedings, such as this, the Commission's regulatory staff participates like any other party, while the Commissioners make the decision. To assure fairness, the Commissioners, the presiding administrative law judge, and the Commissioners' policy and accounting advisors do not discuss the merits of this proceeding with the regulatory staff, or any other party, without giving notice and opportunity for all parties to participate. *See*, RCW 34.05.455.

- 10 **DISCOVERY.** Discovery will continue pursuant to the Commission's discovery rules, WAC 480-07-400 – 425. The Commission urges the parties to work cooperatively together to avoid having to bring discovery matters forward for formal resolution.
- 11 **PROCEDURAL SCHEDULE.** The parties agreed on a procedural schedule prior to the prehearing conference. The Commission adopts this procedural schedule, which is attached to this Order as Appendix B.
- 12 The parties agreed to a response time for data requests of ten business days until July 22, 2014. From July 22, 2014, until August 22, 2014, the response time for data requests will be seven business days. From August 22, 2014, through the close of discovery, the response time for data requests is five business days.
- 13 **EXHIBITS FOR CROSS-EXAMINATION.** Parties are required to file with the Commission and submit electronically all proposed cross-examination exhibits on **September 17, 2014**. The Commission requires **seven** copies of the fully unredacted version of exhibits. The Commission also requires 1 copy of a redacted set of any confidential or highly confidential exhibits so that these can be made available by the Commission in response to a public records request or posted to the Commission's web pages.
- 14 **NOTICE OF HEARING.** The Commission will hold an evidentiary hearing in these dockets beginning **September 22, 2014, at 9:30 a.m.**, in the Commission's Hearing Room, Second Floor, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington. The hearing will continue from day to day thereafter, or as otherwise scheduled, until completed. The Commission may alter this schedule by subsequent notice.
- 15 **DOCUMENT PREPARATION AND FILING REQUIREMENTS.** Parties must file an original plus **7** copies of all pleadings, motions, briefs, and other prefiled materials. These materials must conform to the format and publication guidelines in WAC 480-07-395 and WAC 480-07-460. The Commission prefers that materials be three-hole punched with *oversized* holes to allow easy handling. The Commission may require a party to refile any document that fails to conform to these standards.

- 16 All filings must be mailed or delivered to the Executive Director and Secretary, Washington Utilities and Transportation Commission, P.O. Box 47250, 1300 S. Evergreen Park Drive, S.W. Olympia, Washington 98504-7250. Both the post office box and street address are required to expedite deliveries by the U.S. Postal Service.
- 17 An electronic copy of all filings must be provided through the Commission's Web Portal (www.utc.wa.gov/e-filing) or by e-mail delivery to records@utc.wa.gov. Alternatively, parties may furnish an electronic copy by delivering with each filing a 3.5-inch IBM-formatted high-density diskette, CD, or flash drive including the filed document(s). Parties must furnish electronic copies in MS Word 6.0 (or later) supplemented by a separate file in .pdf (Adobe Acrobat) format. Parties must follow WAC 480-07-140(5) in organizing and identifying electronic files.
- 18 **ELECTRONIC SUBMISSION OF DOCUMENTS.** Parties may submit documents electronically to the Commission by 3:00 p.m. on the filing deadline to expedite the filing process, but must file an original, plus 7 paper copies, of the documents with the Commission by 12:00 noon on the first business day following the filing deadline established in the procedural schedule. WAC 480-07-145(6). Parties may submit documents electronically through the Commission's Web Portal (www.utc.wa.gov/efiling) or by e-mail to records@utc.wa.gov. Finally, to perfect filing, parties must simultaneously provide e-mail courtesy copies of filings to the presiding administrative law judge as well as to the parties to the proceeding.
- 19 **ALTERNATE DISPUTE RESOLUTION.** The Commission supports the informal settlement of matters before it. Parties are encouraged to consider means of resolving disputes informally. The Commission does have limited ability to provide dispute resolution services; if you wish to explore those services, please call the Director, Administrative Law Division, at 360-664-1355.

20 **NOTICE TO PARTIES:** A party who objects to any portion of this Order must file a written objection within ten (10) calendar days after the service date of this Order, pursuant to WAC 480-07-430 and WAC 480-07-810. The service date appears on the first page of the order in the upper right-hand corner. Absent such objection, this Order will control further proceedings in this matter, subject to Commission review.

Dated at Olympia, Washington, and effective March 10, 2014.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARGUERITE E. FRIEDLANDER
Administrative Law Judge

APPENDIX A

**PARTIES' REPRESENTATIVES
DOCKETS UE-140188 & UG-140189**

PARTY	REPRESENTATIVE	PHONE	E-MAIL
Avista	Kelly O. Norwood VP, State & Federal Regulation 1411 E. Mission Avenue, MSC-27 P.O. Box 3727 Spokane, WA 99220-3727	509-495-4267	kelly.norwood@avistacorp.com
	David J. Meyer, Esq. VP and Chief Counsel for Regulatory and Governmental Affairs 1411 E. Mission Avenue, MSC-27 P.O. Box 3727 Spokane, WA 99220-3727	509-495-4316	david.meyer@avistacorp.com
	Patrick Ehrbar	509-495-8620	patrick.ehrbar@avistacorp.com
	Paul Kimball	509-495-4584	avistadockets@avistacorp.com
	Liz Andrews	509-495-8601	liz.andrews@avistacorp.com
Commission Staff	Donald T. Trotter Assistant Attorney General 1400 S. Evergreen Park Dr. SW P.O. Box 40128 Olympia, WA 98504-0128	360-664-1189	dtrotter@utc.wa.gov
	Brett P. Shearer Assistant Attorney General	360-664-1187	bshearer@utc.wa.gov
	EJ Keating Regulatory Analyst		ekeating@utc.wa.gov
	Thomas Schooley Assistant Director, Energy Regulation		tschoole@utc.wa.gov

PARTY	REPRESENTATIVE	PHONE	E-MAIL
Public Counsel	Lisa W. Gafken Assistant Attorney General Public Counsel Section Office of Attorney General 800 5th Avenue, Suite 2000 Mail Stop TB-14 Seattle, WA 98104-3188	206-464-6595	lisa.gafken@atg.wa.gov
	Lea Fisher		lead@atg.wa.gov
	Carol Baker		carolw@atg.wa.gov
Industrial Customers of Northwest Utilities (ICNU)	ICNU 818 SW 3 rd Avenue #266 Portland, OR 97204		
	Melinda J. Davison Davison Van Cleve, P.C. 333 SW Taylor, Suite 400 Portland, OR 97204	503-241-7242	mjd@dvclaw.com
	Joshua D. Weber Davison Van Cleve, P.C.	503-241-7242	jdw@dvclaw.com
	Michael Gorman Brubaker & Associates, Inc.	636-898-6725	mgorman@consultbai.com
Northwest Industrial Gas Users (NWIGU)	Ed Finklea Executive Director NWIGU 326 Fifth Street Lake Oswego, OR 97034	503-303-4061	efinklea@nwigu.org
	Tommy A. Brooks Cable Huston 1001 SW Fifth Avenue, Suite 2000 Portland, OR 97204-1136	503-224-3092	tbrooks@cablehuston.com
	Chad M. Stokes	503-224-3092	cstokes@cablehuston.com
	Michael Gorman Brubaker & Associates, Inc.	636-898-6725	mgorman@consultbai.com
The Energy Project	Charles Eberdt The Energy Project 3406 Redwood Avenue Bellingham, WA 98225	360-734-5121 Ext. 332	Chuck_eberdt@oppco.org
	Ronald L. Roseman 2011 14 th Avenue East Seattle, WA 98112	206-324-8792	ronaldroseman@comcast.net

APPENDIX B
PROCEDURAL SCHEDULE
DOCKETS UE-140188 and UG-140189

EVENT	DATE
Public Notice Report	April 25, 2014
Avista Circulates Joint Issues List	June 6, 2014
Settlement Conference	July 7, 2014
Staff, Public Counsel and Intervenor Response Testimony and Exhibits*	July 22, 2014
Settlement Conferences	August 4 and 6, 2014
Joint Issues List	August 11, 2014
Company Rebuttal Testimony and Exhibits and Staff, Public Counsel and Intervenor Cross-Answering Testimony and Exhibits**	August 22, 2014
Public Comment Hearing	TBD (Exact date and location to be determined by separate notice)
Discovery Deadline – Last day to issue Data Requests	September 8, 2014
Deadline for Filing of Cross-Examination Exhibits	September 17, 2014
Evidentiary Hearing***	September 22, 23, 24, and 29, 2014
Post-hearing Briefs and Updated Issues List	October 23, 2014
Suspension Date	January 7, 2015

*Response time to DR's relating to this Testimony will be 7 business days.

**Response time to DR's relating to this Testimony will be 5 business days.

***All cost of capital witnesses will be presented as a panel on one of the hearing days to be determined.