

May 7, 2009

NOTICE OF COMMUNICATION

RE: *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*; Docket UG-060518

TO ALL PARTIES:

On May 5, 2009, the Washington Utilities and Transportation Commission (Commission) received a two page advocacy letter from the Industrial Energy Consumers of America (IECA), individually addressed to each of the Commissioners, urging them not to approve programs that decouple electric or natural gas utility revenue streams from volume. Only Commissioner Patrick Oshie actually received and briefly reviewed the materials. Although the IECA's advocacy was not directed to any specific program, Commissioner Oshie recognized the potential appearance of fairness concerns that might arise given the nature of the communication and the pendency of the above-captioned matter before the Commission. The letters addressed to Chairman Goltz and Commissioner Jones were not delivered to them.

The Commission is placing the attached mailing into the public record of this case, but not into the evidentiary record. Any party may file in the public record a statement concerning the mailing, as they may consider necessary, within 10 days after the date of this Notice. These materials and any such statements will not be considered evidence in this docket (even as public comment) unless a party files a motion to admit any portion and that portion is admitted pursuant to RCW 34.05.452.

Sincerely,

ADAM E. TOREM
Administrative Law Judge
Attachment