

**BEFORE THE  
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Application of ) DOCKET NO. UE-060273  
Avista Corporation d/b/a Avista Utilities )  
For an Order Approving a Corporation ) NORTHWEST INDUSTRIAL GAS  
Reorganization to Create a Holding ) USERS' PETITION TO INTERVENE  
Company, AVA Formation Corp. )  
)  
)  
\_\_\_\_\_ )

The Northwest Industrial Gas Users ("NWIGU") hereby submits this Petition to Intervene in the above-captioned proceedings.

1. The following name and address for NWIGU should be included on the official list of parties of record in these proceedings, and all correspondence and communications concerning these proceedings should be addressed to:

Paula E. Pyron  
Executive Director  
Northwest Industrial Gas Users  
4113 Wolf Berry Court  
Lake Oswego, OR 97035-1827  
Telephone: (503) 636-2580  
Facsimile: (503) 636-0703  
E-mail: ppyron@nwigu.org

Paula Pyron is designated as the person to receive service of documents on behalf of NWIGU in this proceeding.

Ed Finklea and Chad Stokes of Cable Huston Benedict Haagensen & Lloyd LLP will represent NWIGU in these proceedings, and have filed a separate Notice of Appearance as

required in WAC §480-07-345(2). All correspondence and communications concerning these proceedings should be addressed to:

Edward A. Finklea  
Chad M. Stokes  
Cable Huston Benedict Haagensen & Lloyd LLP  
1001 SW Fifth Avenue, Suite 2000  
Portland, OR 97204-1136  
Telephone: (503) 224-3092  
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E-mail: efinklea@chbh.com  
cstokes@chbh.com

Don Schoenbeck  
RCS, Inc.  
900 Washington St. Ste. 780  
Vancouver, WA 98660  
E-mail: dws@r-c-s-inc.com

2. This Petition to Intervene is submitted pursuant to WAC § 480-07-355. As required by WAC §480-07-145(2) (d), NWIGU has provided this Petition by electronic mail. In support of this Petition to Intervene, NWIGU states the following:

3. NWIGU is a nonprofit association comprised of thirty-two end-users of natural gas with major facilities in the states of Washington, Oregon and Idaho. NWIGU members include diverse industrial interests, including food processing, pulp and paper, wood products, electric generation, aluminum, steel, chemicals, electronics and aerospace. The association provides an information service to its members and participates in various regulatory matters that affect member interests. NWIGU member companies purchase natural gas sales and transportation services from local distribution companies (“LDCs”), including Avista Utilities (“Avista” or the “Company”).

4. On February 16, 2006, Avista submitted to the Washington Utilities and Transportation Commission (“WUTC” or “Commission”) a filing requesting approval of a corporate reorganization to create a holding company. The WUTC has suspended the filing and set the matter for hearing.

5. Avista's request for authority to create a holding company as part of a reorganization will impact the interests of NWIGU member companies. NWIGU members have a direct and substantial interest in Avista's corporate structure as such structure will impact its natural gas customers. No other party can adequately represent NWIGU member companies' interests, and the Commission's determination in this proceeding will directly affect NWIGU member companies.

6. NWIGU requests permission to file this Petition to Intervene after the prehearing conference. NWIGU's counsel intended to participate in the prehearing conference held in this matter on September 6, 2006 by telephone. The prehearing conference, however, was held in Seattle and counsel failed to prearrange for phone access and, thus, was unsuccessful in his attempt to participate by phone. Counsel has spoken with counsel for Avista, and Avista does not object to NWIGU's effort to intervene as a party at this stage of the proceeding. NWIGU accepts the schedule adopted at the prehearing conference.

7. NWIGU reserves the right to propound data requests, review responses to data requests, submit testimony and exhibits, call witnesses, cross-examine all witnesses called by other parties and submit any written arguments and motions that may be appropriate to represent its interests in these proceedings.

8. NWIGU's participation in these proceedings will assist the Commission in resolving the issues in these proceedings and will not unreasonably broaden the issues, unduly burden the record, or delay these proceedings.

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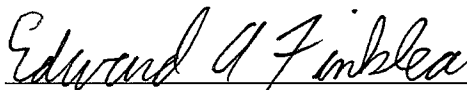
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WHEREFORE, based upon the foregoing, NWIGU respectfully requests leave to intervene as a party in these proceedings, with all of the procedural and substantive rights associated with full party status as described in WAC §480-07-340.

Dated: September 7, 2006.

Respectfully submitted,



Edward A. Finklea

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Of Attorneys for the  
Northwest Industrial Gas Users

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the foregoing PETITION TO INTERVENE upon all parties of record in these proceedings, as indicted below, by electronic mail and/or mailing a copy properly addressed with first class postage prepaid.

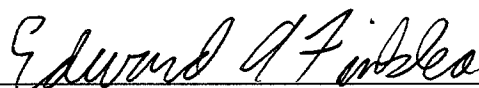
### SERVICE LIST

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Dated in Portland, Oregon this 7th day of September, 2006.



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EDWARD A. FINKLEA      OSB No. 84216  
CHAD M. STOKES      OSB No. 00400  
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