

**BEFORE THE WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION,

Complainant,

v.

AVISTA CORPORATION d/b/a
AVISTA UTILITIES,

Respondent.

DOCKETS UE-220053 and
UG-220054 (*Consolidated*)

**REQUEST FOR CASE
CERTIFICATION AND
NOTICE OF INTENT TO
REQUEST A FUND GRANT**

- 1) Pursuant to Order 01 in Docket No. U-210595 and Sections 5.2 and 6.2 of the *Washington Interim Participatory Funding Agreement* (Agreement), Small Business Utility Advocates (SBUA) submits this Request for Case Certification and Notice of Intent to Request a Fund Grant (Notice of Intent).
- 2) SBUA requests a Fund Grant from the Avista Customer Representation Sub-Fund pursuant to Section 6.2 of the Agreement and will file a proposed budget within 30 days of the order on this Notice of Intent¹ pursuant to Section 6.3 of the Agreement.
- 3) SBUA also requests case certification in this matter because it meets each of the requirements of Section 5.2.1² of the Agreement, detailed as follows:

¹ Order 04, SECOND PREHEARING CONFERENCE ORDER, P 11, UE-220053 & UG-220054 (issued Mar. 1, 2022).

² Section 5.2.1 provides that the Utilities and Transportation Commission “will case certify an organization that meets the following criteria: a) The organization is not: (i) a for-profit organization; or (ii) a governmental entity; (b) The organization represents broad customer interests, as determined by the Commission; (c) The organization demonstrates that it is able to effectively represent the particular customers it seeks to represent; (d) The organization demonstrates that (1) no other case-certified stakeholder participating in the proceeding adequately represents the specific interests of the customers represented by the organization; or (2) that the specific interests of customers or the public interest will benefit from the organization's participation; and (e) The organization demonstrates that

- a) SBUA is a California 501(c)(3) nonprofit corporation that represents, protects, and promotes the interests of small businesses as public utility customers.
- b) SBUA represents broad customer interests. There are approximately 630,819 small businesses in Washington, which comprise 99 percent of businesses in the state; Washington small businesses employed 1.4 million people, or 50.7% of the private workforce, in 2017.³ It is reasonable to assume that similar proportions exist in Avista's electric and gas service territories. Given that small businesses constitute a substantial part of Washington's economy, and given that RCW 80.28.430(1) identifies such "commercial" interests as among the broad customer interests the statute was intended to address, SBUA will represent a broad customer interest in this proceeding.
- c) SBUA will employ highly experienced counsel and experts in this case who collectively have decades of experience in energy and public utility matters. SBUA has successfully intervened in well over 50 dockets at the California Public Utility Commission, including at least 10 General Rate Cases, and has been awarded compensation for making substantial contributions to numerous cases in California over the last 10 years. With SBUA's history and track record, it will effectively represent small business customers in this proceeding.
- d) SBUA appears to be the only party in this proceeding focused exclusively on the small business community as a whole. The interests of small businesses diverge from other

its request for case-certification will not unduly delay the schedule of the proceeding.”

³ Washington 2020 Small Business Profile, U.S. Small Business Admin. Available at <https://cdn.advocacy.sba.gov/wp-content/uploads/2020/06/04144240/2020-Small-Business-Economic-Profile-WA.pdf>

groups (residential ratepayers and large businesses) in several respects, including on appropriate rate design and the factors driving increased energy rates, the potential for cost shifting between customer classes, the best way to mitigate such rate increases and cost shifts, the best use of revenue for program funds, and the economic and policy tradeoffs associated with these mitigation strategies. Where the interests of ratepayer groups diverge, organizations with broader mandates than SBUA's are not able to strictly advocate for small business interests. It is therefore important that small businesses have a focused voice before the Utilities and Transportation Commission.

- e) SBUA's participation will not disrupt, delay, or prolong the schedule adopted in this proceeding, as the schedule in this matter has already been set.
- 4) For these reasons, SBUA respectfully requests that the Commission grant this Request for Case Certification and Notice of Intent to Request a Fund Grant. SBUA also will join and be bound by the terms of the Agreement as provided for on page 1 of the Agreement.⁴

Dated this 9th day of March, 2022.

Respectfully submitted,

/s/ Jeff Winmill

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⁴ Stating that “[t]he Interim Agreement . . . shall be modified from time to time to reflect the addition or deletion of Stakeholders who have agreed to be bound by the terms of this Interim Agreement.”