

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION

Complainant,

v.

AVISA CORPORATION, D/B/A
AVISTA UTILITIES

Respondent.

DOCKET UE-240891

ORDER 07

GRANTING AVISTA
CORPORATION’S MOTION FOR
LEAVE TO FILE REVISED
EXHIBIT

BACKGROUND

- 1 On October 31, 2024, Avista Corporation d/b/a Avista Utilities (Avista or Company) filed with the Washington Utilities and Transportation Commission (Commission) proposed revisions to its rates under electric service tariff, Tariff WN U-28, Schedule 99 – Colstrip Tracker, to reflect forecasted costs for Colstrip Units 3 and 4, for the 2025 calendar year. Avista requested a revenue increase of \$18.7 million, or 2.7 percent, from \$23.9 million in 2024 to \$42.6 million in 2025, which for a typical residential customer using 945 kWhs per month would be a rate increase of \$4.47 per month, or 4.1 percent.¹
- 2 This matter came before the Commission at its December 19, 2025, Open Meeting, and Commission staff (Staff) raised concerns about several capital investments reflected in the filing as potentially unrecoverable by law or imprudent for Washington ratepayers.
- 3 On December 20, 2024, Avista filed revised tariff sheets, and the Commission issued Order 01, Corrected Order, Complaint and Order Allowing Rates Subject to Later Review and Refund; Setting Matter for Adjudication. Under the initial filing, the rate

¹ See Avista Corp. Cover Letter, *Avista Corporation – Docket Nos. UE-220053 / UG-220054 / UE-210854 – Tariff Schedule 99 Colstrip 2025 Compliance Filing*, Docket UE-240891 (filed Oct. 31, 2024) at 3. This represents a year-over-year annual increase of 78 percent and is driven by significant capital investments in the Colstrip facility in 2024, and 2025, which Avista seeks to recover in full in 2025. *See id.*

increase became effective January 1, 2025, subject to refund, pending the Commission's final determination in this docket.²

- 4 On March 6, 2025, a virtual prehearing conference was convened before Administrative Law Judge Amy Bonfrisco (ALJ Bonfrisco). On March 21, 2025, the Commission entered Order 03 Prehearing Conference Order and Notice of Hybrid Evidentiary Hearing in which the Commission, among other things, addressed filing of testimony and exhibits to be considered in the adjudication of issues raised in this docket.³
- 5 On June 9, 2025, Avista filed direct testimony of its witness Scott J. Kinney along with accompanying exhibits. Non-company parties filed response testimony and exhibits on July 24, 2025. Avista filed the rebuttal testimony and exhibits of witness Kinney on August 25, 2025, which included Exhibit SKJ-13C.
- 6 On September 22, 2025, Avista filed a Motion for Leave to File Revised Exhibit (Motion) pursuant to Washington Administrative Code (WAC) 480-07-460(a)(i), in which Avista requests to file a revised version of Exhibit SJK-13C, substituting an executed version of the Letter Agreement between Avista and NorthWestern Energy for the previously-filed draft unsigned version of the agreement. Avista identifies the revised exhibit as Exh. SJK-13r and attaches the revised exhibit to its Motion.⁴
- 7 Avista also explains that the essential terms of the agreement have not changed and that no party should be prejudiced by the substitution of the revised version, and that the substitution will assure an accurate and complete record in this proceeding.⁵ Avista explains further that Avista Witness Kinney stated in rebuttal testimony at EXH. Sjk-11CT on page 33, footnote 22, that the Company will substitute a signed version of this exhibit once the finalized version is available and before hearing.⁶ No party has objected to the revised exhibit.

DISCUSSION

² *Wash. Utils. & Transp. Comm'n v. Avista Corp., d/b/a Avista Utils.*, Docket UE-240891, Corrected Order 01, Complaint and Order Allowing Rates Subject to Later Review and Refund at 4 ¶ 20(1) (Dec. 20, 2024).

³ *See Wash. Utils. & Transp. Comm'n v. Avista Corp., d/b/a Avista Utils.*, Docket UE-240891, Prehearing Conference Order; Notice of Hybrid Evidentiary Hearing at 2 ¶ 7, 3 ¶¶ 14-16, and 5 ¶ 20; *see also* Appendix B (Mar. 21, 2025).

⁴ Avista Corporation's Motion for Leave to File Revised Exhibit (filed Sept. 22, 2025).

⁵ *See id.*

⁶ Motion at 1 ¶ 2.

- 8 The Commission's procedural rules at WAC 480-07-460 provide that for substantive changes to exhibits parties intend to submit or use in an evidentiary hearing, parties must seek leave by written motion to file revisions to prefiled testimony or exhibits and submit the proposed revisions along with the motion. Format requirements for the revisions are stated in WAC 480-07-460. Avista provides the revised exhibit SJK-13Cr consistent with the requirements in WAC 480-07-460, and no party to this proceeding has objected to the Motion. In addition, Avista's revised exhibit represents the final updated version of the agreement provided in Exhibit SJK-13C. Therefore, the Commission finds good cause to grant Avista's Motion for Leave to File Revised Exhibit SJK-13Cr, and to substitute that revised exhibit for SJK-13C.

ORDER

THE COMMISSION ORDERS THAT:

- 9 (1) Avista's Motion for Leave to File Revised Exhibit in Docket UE-240891 is GRANTED.
- 10 (2) Exhibit SJK-13C is hereby substituted with SJK-13Cr, which was filed along with Avista's Motion. SJK-13Cr is the revised final updated version of the agreement in Exhibit SJK-13C.

Dated at Lacey, Washington, and effective October 1, 2025.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

/s/ Amy Bonfrisco
AMY BONFRISCO
Administrative Law Judge

/s/ Ann Paisner
ANN PAISNER
Administrative Law Judge

NOTICE TO PARTIES: This is an Interlocutory Order of the Commission. Administrative review may be available through a petition for review, filed within 10 days of the service of this Order pursuant to WAC 480-07-810.