

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of

AVISTA CORPORATION d/b/a
AVISTA UTILITIES,

Petitioner,

Seeking Exemption from the Provisions
of WAC 480-100-NUM017(4) Related to
RFP Approval

DOCKET UE-210832

ORDER 01

GRANTING EXEMPTION FROM
RULE

BACKGROUND

- 1 On January 1, 20252, Co. 1(Avista or Company) filed with the Washington Utilities and Transportation Commission (Commission) a petition requesting an extension of the approval date of its draft all-source Request for Proposals (RFPs), which requires an exemption from Washington Administrative Code (WAC) 480-107-017(4) (Petition).
- 2 WAC 480-100-NUM017(4) requires the Commission to “approve, approve with conditions, or suspend the filed RFP . . . within seventy-five days after the utility files its RFP.”
- 3 AvistaCo. 1 stated that, because of stakeholder comments received in Docket UE-210832 and a recently signed contract, the Company is preparing to file a revised 2022 All-Source RFP. The revised RFP will not be filed with sufficient time for Commission staff (Staff) and other stakeholders to review it prior to the end of the original 75 days, or by January 14, 2022, the date by which the Commission is required to act.
- 4 The Company requests that the Commission take action to approve, approve with conditions, or suspend the revised RFP at the January 27, 2022, open meeting to allow sufficient time for stakeholder review.
- 5 Staff has reviewed the Petition and recommends granting Avista Corporation’s request to extend the approval date of the draft all-source request for proposals beyond January 14, 2022. Staff recommends the Commission hear this matter at its regularly scheduled open meeting on February 10, 2022, and that it grant the Company’s Petition for exemption

subject to the condition that the revised RFP is filed on or before January 18, 2022.

DISCUSSION

6 We agree with Staff’s recommendation and grant Avista’s request for an exemption from
WAC 480-107-017(4) subject to the condition that the revised RFP is filed by January
18, 2022. Under WAC 480-107-002, the Commission may grant an exemption from the
provisions of any rule from WAC 480-107 if doing so is consistent with the public
interest, the purposes underlying regulation, and applicable statutes.

7 WAC 480-107-017 outlines the RFP filing and approval process for utilities. As a matter
of due process and transparency, the rules include an appropriate amount of time for
public participation. We agree with Staff that Avista’s request is reasonable to ensure that
stakeholders have sufficient time to review the Company’s revised RFP consistent with
the spirit of the rule. Accordingly, we find that granting the Company’s request for an
exemption is in the public interest and consistent with both the purposes underlying the
rule and applicable statutes. This matter will be heard at the Commission’s regularly
scheduled open meeting on February 10, 2022.

FINDINGS AND CONCLUSIONS

8 (1) The Commission is an agency of the State of Washington vested by statute with the
authority to regulate the rates, rules, regulations, practices, accounts, securities,
transfers of property and affiliated interests of public service companies, including
electric companies.

9 (2) Avista is engaged in the business of providing electric services within the state of
Washington and is a public service company subject to Commission jurisdiction.

10 (3) WAC 480-100-NUM017(4), requires the Commission to “approve, approve with
conditions, or suspend the filed RFP . . . within seventy-five days after the utility
files its RFP.”

11 (4) Under WAC 480-107-002, the Commission may grant an exemption from the
provisions of any rule in WAC 480-107 if doing so is consistent with the public
interest, the purposes underlying regulation, and applicable statutes. See also WAC
480-07-110.

- 12 (5) This matter came before the Commission at its regularly scheduled meeting on January 13, 2022.
- 13 (6) After review of the Petition filed in Docket UE-210832 by Avista on January 1, 2025, and giving due consideration, the Commission finds that the exemption is in the public interest and is consistent with the purposes underlying the regulation and applicable statutes and should be granted, subject to the conditions in paragraph 6 above.

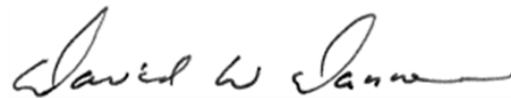
ORDER

THE COMMISSION ORDERS:

- 14 (1) Avista Corporation d/b/a Avista Utilities' Petition for an exemption from WAC 480-100-NUM017(4) is GRANTED, subject to the condition that Avista Corporation d/b/a Avista Utilities will file the revised RFP by January 18, 2022.
- 15 (2) The Commission will take action on the revised RFP at its regularly scheduled open meeting on February 10, 2022.
- 16 (3) The Commission retains jurisdiction over the subject matter and Avista Corporation d/b/a Avista Utilities to effectuate the provisions of this Order.

DATED at Lacey, Washington, and effective January 13, 2022.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION



DAVID W. DANNER, Chair



ANN E. RENDAHL, Commissioner

A handwritten signature in blue ink, appearing to read "JMB", with a long horizontal flourish extending to the right.

JAY M. BALASBAS, Commissioner