

**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Application of)	DOCKET U-111687
)	
AVISTA CORPORATION DBA)	ORDER 01
AVISTA UTILITIES,)	
)	
Petitioner,)	
)	
For an Order Establishing Compliance)	
with the Provisions of RCW 80.08.040,)	
with Respect to its Proposal to Issue and)	ORDER ESTABLISHING
Sell up to 5,500,000 shares of Common)	COMPLIANCE WITH
Stock)	RCW 80.08.040, SECURITIES
.....)	

BACKGROUND

- 1 On September 16, 2011, Avista Corporation dba Avista Utilities (Avista) filed with the Washington Utilities and Transportation Commission (Commission) a statement of a planned securities issuance and application for an order affirming compliance with RCW 80.08.040. In its notice, Avista proposes to issue and sell up to 5,500,000 shares of Common Stock. The notice is filed pursuant to [RCW 80.08.040](#).
- 2 According to Avista’s notice and supporting documents, the proceeds of the financing are for one or more of the purposes allowed by [RCW 80.08.030](#), it provides a description of the terms and conditions of the sale of the Common Stock and a statement as to why the proposed offering is in the public interest.

FINDINGS AND CONCLUSIONS

- 3 (1) The Washington Utilities and Transportation 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 and natural gas companies. [RCW 80.01.040](#), [RCW 80.04](#), [RCW 80.08](#), [RCW 80.12](#), [RCW 80.16](#) and [RCW 80.28](#).
- 4 (2) Avista is engaged in the business of providing electric and natural gas service within the state of Washington. As a public service company, it is subject to Commission jurisdiction.

- 5 (3) The notice Avista filed meets the requirements of [RCW 80.08](#) which concern the issuance of securities by public service companies.
- 6 (4) The information Avista filed in this docket contains: (a) a certification by an authorized officer that the proceeds will be used for one or more purposes allowed by [RCW 80.08.030](#); (b) a description of the proposed issuance, including the terms of financing, and (c) a statement as to why the proposed issuance and sale of up to 5,500,000 shares of Common Stock is in the public interest. *See WAC 480-90-242.*
- 7 (5) After reviewing the information and notice Avista filed in Docket U-111687 on September 16, 2011, and giving due consideration, the Commission finds that Avista is in compliance with [RCW 80.08.040](#).

ORDER

THE COMMISSION ORDERS:

- 8 (1) Avista Corporation dba Avista Utilities has complied with the requirements of [RCW 80.08.040](#) with respect to the proposal in its notice to issue and sell up to 5,500,000 shares of Common Stock.
- 9 (2) Avista Corporation dba Avista Utilities is directed to file a Report of Securities Issued as required by [WAC 480-90-262 and WAC 480-90-262](#). Avista Corporation dba Avista Utilities is also required to file verified copies of any agreement entered into in connection with any transaction pursuant to this Order. Finally, Avista Corporation dba Avista Utilities shall file a verified statement setting forth in reasonable detail the disposition of the proceeds of each offering made pursuant to this Order.
- 10 (3) This Order shall in no way affect the authority of the Commission over rates, services, accounts, valuations, estimates, or determination of costs, or any matters that may come before it. Nor shall anything in this Order be construed as an agreement to any estimate or determination of costs, or any valuation of property claimed or asserted.

The Commissioners, having determined this Order to be consistent with the public interest, directed the Secretary to enter this Order.

DATED at Olympia, Washington, and effective October 13, 2011.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER, Executive Director and Secretary