

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

WASHINGTON UTILITIES AND)	DOCKET NO. UG-021584
TRANSPORTATION)	
COMMISSION,)	
)	
Complainant,)	
)	
v.)	
)	
AVISTA CORPORATION d/b/a)	
AVISTA UTILITIES,)	
)	COMPLAINT AND ORDER
Respondent.)	SUSPENDING TARIFF REVISIONS
.....)	

BACKGROUND

1 On December 2, 2002, Avista Corporation d/b/a Avista Utilities (Avista or Company) filed with the Commission revisions to its currently effective Tariff WN U-29, designated as:

Second Revision Sheet 163	Cancelling	First Revision Sheet 163
Second Revision Sheet 163A	Cancelling	First Revision Sheet 163A
Third Revision Sheet 163B	Cancelling	Second Revision Sheet 163B
Second Revision Sheet 163C	Cancelling	First Revision Sheet 163C

The stated effective date is April 1, 2003. The revisions extend Avista's Natural Gas Benchmark Mechanism (Mechanism) for two more years, with some modifications to the Mechanism.

2 Because the Mechanism might injuriously affect the rights and interests of the public and Avista has not demonstrated that the Mechanism will result in rates that are fair, just and reasonable, the Commission suspends the tariff filing and

will hold public hearings if necessary to determine whether the proposed Mechanism is fair, just and reasonable.

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
rates, regulations, practices, accounts, securities, and transfers of public
service companies, including natural gas companies. *RCW 80.01.040;*
Chapter 80.04 RCW; and Chapter 80.28 RCW.
- 4 (2) Avista is a natural gas company and is a public service company subject to
the jurisdiction of the Commission.
- 5 (3) This matter was brought before the Commission at its regularly scheduled
meeting on January 29, 2003.
- 6 (4) The tariff revisions filed by Avista on December 2, 2002, would provide a
Mechanism that may result in charges and rates for service provided by
Avista that might injuriously affect the rights and interest of the public.
- 7 (5) Avista has not yet demonstrated that the tariff revisions would result in a
Mechanism that is fair, just and reasonable.
- 8 (6) In order to carry out the duties imposed upon the Commission by law,
and as authorized in RCW 80.04.130, the Commission believes it is
necessary to investigate Avista's books, accounts, practices and activities;
and to investigate and appraise various phases of Avista's operations.
- 9 (7) As required by RCW 80.04.130 (2), Avista bears the burden of proof to
show that the proposed Mechanism is fair, just and reasonable.

- 10 (8) Avista may be required to pay the expenses reasonably attributable and allocable to such an investigation to the extent the requirements for such payment are in accordance with the provisions of Chapter 80.20 RCW.

ORDER

THE COMMISSION ORDERS:

- 11 (1) The tariff revisions filed in Docket UG-021584 on December 2, 2002, are suspended.
- 12 (2) Further, Avista Corporation d/b/a Avista Utilities' existing tariff sheet 163 shall be extended one year to January 29, 2004.
- 13 (3) The Commission will hold hearings at such times and places as may be required.
- 14 (4) Avista Corporation d/b/a Avista Utilities must not change or alter the tariffs filed in this docket during the suspension period, unless authorized by the Commission.
- 15 (5) The Commission will institute an investigation of Avista Corporation d/b/a Avista Utilities' books, accounts, practices, activities, and operations as described above.
- 16 (6) Avista Corporation d/b/a Avista Utilities shall pay the expenses reasonably attributable and allocable to the Commission's investigation to the extent the requirements for such payment are in accordance with the provisions of Chapter 80.20 RCW.

DATED at Olympia, Washington, and effective this 29th day of January, 2003.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

RICHARD HEMSTAD, Commissioner

PATRICK J. OSHIE, Commissioner