

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

In the Matter of the Request of)	DOCKET UE-080119
)	
AVISTA CORPORATION D/B/A)	
AVISTA UTILITIES,)	ORDER 01
Petitioner,)	
)	ORDER GRANTING LESS THAN
For Less Than Statutory Notice in)	STATUTORY NOTICE; ALLOWING
Connection with Tariff Revision)	TARIFF REVISION
.....)	

BACKGROUND

- 1 On January 18, 2008, Avista Corporation d/b/a Avista Utilities (Avista or Company), filed with the Washington Utilities and Transportation Commission (Commission) a revision to its currently effective Tariff WN U-28, designated as Fourth Revision Sheet 93, Schedule 93, Power Cost Surcharge. Schedule 93 reflects Avista’s power cost surcharge rates as a rate per kilowatt-hour for all service schedules except street and area light schedules which are expressed as a percentage of the base rates under those schedules. The Commission granted increases to the street and area lighting schedules in Order 05, Docket UE-070804. The Commission did not change rates in Schedule 93 in its final order. The current surcharge of 10.76 percent applied to the increased rates in the lighting schedules results in more revenues being collected than intended. The proposed reduction to 9.84 percent maintains collection of Schedule 93 revenues from street and area lighting customers at its intended level. This change was inadvertently missed in Avista’s compliance filing in Docket UE-070804.
- 2 RCW 80.28.060 and WAC 480-80-121 require thirty days’ notice to the Commission prior to the effective date of the tariff. The tariff sheet bears an effective date of February 18, 2008. This date recognizes the required 30-day statutory notice. The Company requests, however, less than statutory notice as permitted by WAC 480-80-122, and that the revision becomes effective February 1, 2008. Avista requests less than statutory notice to achieve the same level of Schedule 93 revenues from lighting customers as there was prior to the general rate increase allowed in Docket UE-070804.
- 3 WAC 480-100-194 requires notice to customers or publication of requested increases in customer charges or restrictions of service. The tariff revision requested in Docket UE-080119 reduces customer rates, therefore no direct customer notice is required.

- 4 The reduction to the percentage rate for lighting customers in Schedule 93 is reasonable as it aligns the power cost surcharge to collect the appropriate amount of revenue from lighting customers.
- 5 Since the proposed tariff revision appears to be fair, just, reasonable and sufficient, and less than statutory notice is consistent with the public interest, it is appropriate that the Commission grant Avista's request with an effective date of February 1, 2008.

FINDINGS AND CONCLUSIONS

- 6 (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, regulations, practices, accounts, securities, transfers of property and affiliated interests of public service companies, including electric companies.
RCW 80.01.040, RCW 80.04, RCW 80.08, RCW 80.12, RCW 80.16 and RCW 80.28.
- 7 (2) Avista is an electric company and a public service company subject to Commission jurisdiction.
- 8 (3) Avista is subject to RCW 80.28.060 and WAC 480-80-121, which require electric companies to file changes in any rate, charge or service with thirty days' notice. For good cause shown, however, the Commission may allow changes without requiring thirty days' notice by order specifying the changes to be made and the time when the Order shall take effect. *WAC 480-80-122.*
- 9 (4) Staff has reviewed Avista's request in Docket UE-080119 and recommends the Commission grant the Company's request for less than statutory notice.
- 10 (5) This matter came before the Commission at its regularly scheduled meeting on January 31, 2008.
- 11 (6) After reviewing Avista's proposed tariff revision filed on January 18, 2008, and giving due consideration to all relevant matters and for good cause shown, the Commission finds the proposed tariff revision should become effective February 1, 2008.

- 12 (7) The Commission also finds the customer notice requirements in WAC 480-100-194 are not applicable, as this filing does not seek an increase in customer charges or a restriction in service.

O R D E R

THE COMMISSION ORDERS:

- 13 (1) Avista Corporation d/b/a Avista Utilities' request for less than statutory notice is granted.
- 14 (2) The tariff revision Avista Corporation d/b/a Avista Utilities filed on January 18, 2008, will be effective on February 1, 2008.

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

DATED at Olympia, Washington, and effective January 31, 2008.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Executive Secretary