**BEFORE THE WASHINGTON STATE**

**UTILITIES AND TRANSPORTATION COMMISSION**

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| WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION,  Complainant,  v.  AVISTA CORPORATION, d/b/a AVISTA UTILITIES,  Respondent. | )  ) ) ) ) ) ) ) ) | DOCKET No. UE-10\_\_\_\_\_  DOCKET No. UG-10\_\_\_\_\_  AVISTA CORPORATION’S  MOTION FOR A WAIVER OF  THE PAPER-FILING REQUIREMENTS OF  WAC 480-07-510 |

1. COMES NOW, Avista Corporation (hereinafter "Avista" or the “Company"), pursuant to WAC480-07-375, and respectfully moves the Commission for an order waiving the paper-filing requirements of WAC 480-07-510, with respect to certain exhibits identified below. Avista has, however, provided in its general rate case filings, an electronic copy of such exhibits, as otherwise required by WAC 480-07-510, and one paper copy of the exhibits in question, for the official record.
2. This Motion is being filed coincident with Avista’s general rate case filings in the above-captioned matter, as submitted on March 23, 2010[[1]](#footnote-1). As is evident from the filing itself, the paper documentation in the form of exhibits is voluminous, comprising some five three-inch binders. (Much of the paper-copy documentation submitted, in exhibit form, consists of, e.g., contracts, documentation and analysis supporting the inclusion in rates of the Lancaster Power Purchase Agreement[[2]](#footnote-2)/[[3]](#footnote-3) and additional capacity/deliverability in the Jackson Prairie Storage Project.) (See Exhibits (RJL-3) through (RJL-5), and Exhibit (KJC-2)).
3. In addition, the Company has also compiled extensive documentation, discussed below, in support of a number of proforma capital and expense adjustments. This documentation, in exhibit form, consists of contracts, invoices, timelines, analysis, etc., gathered on a project-by-project basis, for various generation, transmission, distribution, and general plant additions, as well as for technology/information services. This information is being offered into the record, in order to be responsive to the Commission’s concerns, as expressed in its most recent Order No. 10, in Dockets UE-090134/UG-090135, that additional documentation should be provided to demonstrate, on the record, that such costs are known, and susceptible of audit. (Order, supra, at para(s) 45 and 93) This additional documentation, in exhibit form, addresses:

* 23 Generation Projects (Testified to by Mr. Storro; Exhibits RLS-5 and RLS-5C)
* 43 Transmission/Distribution Projects (Testified to by Mr. Kinney; Exhibits SJK-4, SJK-4C, SJK-6 and SJK-6C)
* 6 Technology/Information Services Initiatives (Testified to by Mr. Kensok; Exhibits JMK-3 and JMK-3C)

In total, this additional supporting documentation comprises approximately 2,000 pages (and, if stacked, would stand approximately 16 inches tall) and would fill nearly 5 additional three-inch binders. Ordinarily, the information would be made available for audit purposes anyway, but Avista wishes to be responsive to any concerns that it is not “in the record” itself.

1. WAC 480-07-510(1) requires that the Company file nineteen (19) copies of all exhibits, in paper format, as well as furnishing an electronic copy. Avista requests that WAC 480-07-510 be waived insofar as it would require multiple copies of the above-referenced exhibits of Mr. Storro, Mr. Kinney, and Mr. Kensok, to also be filed and served in a paper format (not just electronically). Instead, Avista has presented, in electronic format, this information in the following manner, doing so on a project-by-project basis, as illustrated by an example in the attached excerpts from the testimony of Mr. Storro, as it relates to one of the 23 projects he testifies to - i.e., the “Noxon Unit #3 Runner Replacement” (See Attachment A to this Motion):
2. An excerpt providing a description of the Noxon Project from the direct testimony of Mr. Storro in Exhibit RLS-1T (a paper exhibit) (See page 1 of Attachment A),
3. A paper copy of a summary template prepared for each project, describing the project, its costs, and its in-service date, together with any supporting documentation. (See excerpt from Storro paper Exhibit RLS-4, appearing at pages 2-3 of the Attachment A to this Motion, describing the “Noxon Unit #3 Runner Replacement”). For Mr. Storro alone, 23 individual templates were prepared, one for each project, and compiled in his Exhibit RLS-4; and
4. A “screen-shot” of the electronic index of all other supporting documents which are otherwise included only in electronic format as part of his Exhibit RLS-5, in support of the adjustment for “Noxon Unit #3”. (See page 4 of Attachment A) This electronic index will facilitate the review of this voluminous material, by allowing the user to navigate quickly and easily through the attached electronic documentation.[[4]](#footnote-4)
5. Accordingly, Avista is requesting that WAC 480-07-510(1) be waived, insofar as it requires the filing and service of paper copies of the identified materials, so that Avista may file such material only in electronic format. Avista does not believe the Commission or any party will be prejudiced thereby; indeed, doing so may facilitate their review of the case. To do otherwise may unnecessarily burden the record with voluminous paper copies, and would cause Avista to expend the resources necessary to produce and serve multiple paper copies of extensive documentation.
6. If, however, at any point during the course of the general rate case, the Commission or any party desires a paper copy of any of the electronic material, Avista will be happy to furnish the same upon request. If, nevertheless, the Commission otherwise rejects this Motion, and requires additional paper copies of all such material at the outset, Avista would ask that it be given a reasonable period of time – i.e., two weeks – to compile and serve additional paper copies to supplement its rate case filing.
7. Finally, one paper copy of what is contained within the electronic exhibits has been furnished at the time of filing, for use as the official record.
8. WHEREFORE, Avista respectfully requests a waiver of the Commission’s rules to allow for the electronic filing only, of Exhibits RLS-5, RLS-5C, SJK-4, SJK-4C, SJK-6, SJK-6C, JMK-3 and JMK-3C.[[5]](#footnote-5) A copy of this Motion has been served on all parties of record in Avista’s most recent general rate case (Docket No. UE-090134/UG-09135).

RESPECTFULLY SUBMITTED this 22nd day of March, 2010.

David J. Meyer, Vice President and Chief Counsel

for Regulatory and Governmental Affairs

cc: Service List

1. In its filing, Avista is requesting an increase in revenue requirements of $55.3M or 13.4% for electric and $8.5M or 6.0% for natural gas service. [↑](#footnote-ref-1)
2. In its Order No. 10, in Dockets No(s) UE-09134 and UG-090135, the Commission expressed its concerns that the relevant purchased power and related contracts and affiliated interest filings were not of record. (See para. 204) [↑](#footnote-ref-2)
3. The Lancaster Generating Facility is a 245MW natural gas-fired combined-cycle combustion turbine (CCCT) plant located in Rathdrum, Idaho. [↑](#footnote-ref-3)
4. By clicking on the hyperlink on the electronic index page, the viewer is quickly sent to the identified documentation. [↑](#footnote-ref-4)
5. Consistent with past practice, the Company has also provided copies of its 2009 Electric IRP (Exhibit No. (RLS-2)), 2009 Natural Gas IRP (Exhibit No. (KJC-4)), and 2007 Electric IRP (Exhibit No. (RLJ-4, Section B)) in CD form only, due to their voluminous nature, and as they have been previously filed with the Commission and provided in paper form to all interested parties. If deemed necessary by the Commission, this Motion should extend to those exhibits as well. [↑](#footnote-ref-5)