

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of

DOCKET UE-230302

AVISTA CORPORATION d/b/a AVISTA
UTILITIES,

ORDER 01

For an Exemption from WAC 480-109-130
and Condition 12(d) of Attachment A in
Order 01 of Docket UE-210826

GRANTING PETITION FOR
EXEMPTION
FROM RULE AND ORDER

BACKGROUND

- 1 On April 28, 2023, Avista Corporation d/b/a Avista Utilities (Avista or Company) filed with the Washington Utilities and Transportation Commission (Commission) a petition (Petition) requesting exemption from Washington Administrative Code (WAC) 480-109-130 and Condition 12(d) of Attachment A in Order 01 of Docket UE-210826, to allow continuation of the current rates related to Demand Side Management funding in its electric tariff WN U-28, Schedule 91.¹
- 2 WAC 480-109-130 requires an annual rate adjustment, or true-up, that reconciles the utility's conservation expenditures with its collections over the previous period, as laid out in its conservation tariffs. It also provides that a utility may file a request for exemption, with supporting documents, if it believes a rate change is unnecessary.
- 3 Condition 12(d) parallels WAC 480-109-130 by stating that Avista must file revisions to its cost recovery tariff (Schedule 91) by June 1 each year.
- 4 The Company provided documents supporting its request for exemption that show that the balance of the Schedule 91 tariff, as of March 31, 2023, was \$3,714,991 overfunded. However, given planned expenditures in the coming year, the Company shows a reasonable expectation that the tariff rider balance will approach a near-zero balance by April 2024, and will be underfunded by May of 2024. Therefore, Avista requests no rate adjustment at this time, and plans to file for a cost recovery adjustment in June of 2024.
- 5 Commission staff (Staff) reviewed the Petition and supporting documents and believes that the request for exemption is warranted.

¹ Docket UE-210826, Order 01, Attachment A, January 18, 2022.

DISCUSSION

6 As a preliminary manner, we acknowledge that the request for exemption was both timely and complete pursuant to both WAC 480-109-130 and the parallel language in Condition 12(d). We also agree with Staff that the supporting documentation demonstrates that planned expenditures will likely reverse the overfunded balance in the next 12 months, and therefore agree that a continuation of the current rates related to Demand Side Management funding in Schedule 91 is warranted and the Company's request for exemption from WAC 480-109-130 and Condition 12(d) should be granted.

FINDINGS AND CONCLUSIONS

- 7 (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.
- 8 (2) Avista is an electric company and a public service company subject to Commission jurisdiction.
- 9 (3) WAC 480-109-130(2) provides that a company may request an exemption to filing for recovery of all expected conservation cost changes and amortization of deferred balances, alongside supporting documents illustrating why a rate change is not necessary.
- 10 (4) As of March 31, 2023, Avista's Schedule 91 tariff was \$3,714,991 overfunded, but projected expenditures will reverse the overfunded balance after 12 months.
- 11 (5) On April 28, 2023, Avista filed a Petition requesting exemption from WAC 480-109-130 and Condition 12(d) in Order 01 in Docket UE-210826, to allow continuation of the current rates related to Demand Side Management funding in Schedule 91.
- 12 (6) This matter came before the Commission at its regularly scheduled meeting on May 25, 2023.
- 13 (7) After reviewing Avista's Petition and supporting documents and giving due consideration to all relevant matters and for good cause shown, the Commission

finds the request for exemption from WAC 480-109-130 and Condition 12(d) as it relates to Schedule 91 should be granted.

ORDER

THE COMMISSION ORDERS:

- 14 (1) Avista Corporation's d/b/a Avista Utilities Request for Exemption from WAC 480-109-130 and Condition 12(d) of Attachment A in Order 01 in Docket UE-210826, filed on April 28, 2023, is GRANTED.
- 15 (2) Avista Corporation d/b/a Avista Utilities is exempted from compliance in calendar year 2023 with the annual requirement to file revisions to its Schedule 91, System Benefits Charge Adjustment, under WAC 480-109-130(2) and Condition 12(d) in Order 01 in Docket UE-210826.
- 16 (3) This Order shall not affect the Commission's authority over rates, services, accounts, valuations, estimates, or determination of costs, on any matters that may come before it. This Order shall not be construed as an agreement to any estimate or determination of costs, or any valuation of property claimed or asserted.
- 17 (4) The Commission retains jurisdiction over the subject matter and Avista Corporation d/b/a Avista Utilities to effectuate the provisions of this Order.
- 18 (5) The Commissioners, having determined this Order to be consistent with the public interest, directed the Secretary to enter this Order.

DATED at Lacey, Washington, and effective May 25, 2023.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

AMANDA MAXWELL
Executive Director and Secretary