

[Service Date October 16, 2012]

October 16, 2012

Lisa W. Gafken
Assistant Attorney General
Public Counsel Division
Office of the Attorney General
800 Fifth Avenue, Suite 2000
Seattle, WA 98104-3188

RE: Letter from Lisa W. Gafken, Assistant Attorney General, dated October 12, 2012,
in Docket UE-120436, *et al.*

Dear Ms. Gafken:

The Washington Utilities and Transportation Commission (Commission) has received your letter dated October 12, 2012, in response to the Commission's Notice to Comply with Appearance of Fairness Obligations (Notice). We have considered your request, and for the following reasons decline to recommend that Commissioner Philip B. Jones cancel or postpone his meeting with Avista representatives.

As you acknowledge in your letter, "cyber security is an issue that energy companies and regulators must grapple with now and in the coming years."¹ Commissioner Jones will be installed as President of the National Association of Regulatory Utility Commissioners in a few short months and has pledged to dedicate his term to the timely and very sensitive issue of cyber security. To that end, this briefing is intended to be a broad discussion of national cyber security issues and to follow up on an invitation to be debriefed by the Company's executives after their recent visit to Norad (North American Aerospace Defense Command). The briefing is not intended to, nor expected to, touch on any issue raised in the general rate case, including the testimony you reference of Ms. Nancy Brockway and Mr. Don Kopczynski.

¹ Letter from Lisa W. Gafken, Assistant Attorney General, Public Counsel Division of the Washington State Attorney General's Office, to David W. Danner, Executive Director and Secretary, Washington Utilities and Transportation Commission, dated October 12, 2012, at 2.

Your response does not appear to raise any specific concerns related to *ex parte* communications. However, I want to assure you that Commissioner Jones is well aware of the issues currently before the Commission in Avista's rate case filing. Though highly unlikely, should anything at issue in the general rate case briefly and accidentally come to his attention, the Commission will quickly cure such communication pursuant to RCW 34.05.455.

I have attached a copy of the briefing agenda to this correspondence, and the same will be placed on file in this matter.

Sincerely,

DAVID W. DANNER
Executive Director and Secretary

Attachment