

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

In the Matter of the Request of)	DOCKET UG-090767
)	
AVISTA CORPORATION,)	ORDER 01
)	
Petitioner,)	
)	ORDER GRANTING LESS THAN
For Less Than Statutory Notice in)	STATUTORY NOTICE; ALLOWING
Connection with Tariff Revisions)	TARIFF REVISIONS
.....)	

BACKGROUND

- 1 On May 18, 2008, Avista Corporation, (Avista or Company) filed with the Washington Utilities and Transportation Commission (Commission) a revision to its currently effective Tariff WN U-29, designated as *Eleventh Revision Sheet 155 Canceling Tenth Revision Sheet 155*. Avista proposes to decrease rates for its residential and commercial customers to reflect the continued decrease in wholesale natural gas prices.
- 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 June 19, 2009. This date recognizes the required thirty days’ statutory notice. The Company requests, however, less than statutory notice as permitted by WAC 480-80-122, and that the revision become effective June 1, 2009. Avista requests less than statutory notice because the Company believes it is important, in the present state of the economy and higher winter heating usage, that the requested reduction be passed on to customers as soon as feasible.
- 3 With wholesale natural gas prices continuing to be below the natural gas prices embedded in Avista’s 2008 Purchased Gas Adjustment filing and a cold winter resulting in a higher than expected usage, the Company’s refundable excess gas costs have continued to increase. The Company’s proposal will immediately begin the refund of approximately \$18.7 million of the excess gas costs back to its customers based on 12 months beginning June 2009.
- 4 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 June 1, 2009.

FINDINGS AND CONCLUSIONS

- 5 (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 gas companies. *RCW 80.01.040, RCW 80.04, RCW 80.08, RCW 80.12, RCW 80.16 and RCW 80.28.*
- 6 (2) Avista is a gas company and a public service company subject to Commission jurisdiction.
- 7 (3) Avista is subject to RCW 80.28.060 and WAC 480-80-121, which require gas companies to file changes in any rate or charges 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 it shall take effect. *RCW 80.28.060 and WAC 480-80-122.*
- 8 (4) Staff has reviewed Avista's request in Docket UG-090767 and recommends the Commission grant the Company's request for less than statutory notice.
- 9 (5) This matter came before the Commission at its regularly scheduled meeting on May 28, 2009.
- 10 (6) After reviewing Avista's proposed tariff revision filed on May 18, 2009, and giving due consideration to all relevant matters and for good cause shown, the Commission finds the proposed tariff revision should become effective June 1, 2009.

ORDER

THE COMMISSION ORDERS:

- 11 (1) Avista Corporation's request for less than statutory notice is granted.
- 12 (2) The tariff revisions Avista Corporation filed on May 18, 2009, will be effective on June 1, 2009.

DATED at Olympia, Washington, and effective May 28, 2009.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

PATRICK J. OSHIE, Commissioner

PHILIP B. JONES, Commissioner