

[Service Date November 9, 2012]

November 9, 2012

NOTICE OF OPPORTUNITY TO RESPOND
(Responses due by Friday, November 16, 2012, by noon)

RE: *Washington Utilities and Transportation Commission v. Avista Corporation, d/b/a Avista Utilities, Dockets UE-120436 and UG-120437, and Dockets UE-110876 and UG-110877 (Second Phase) (Consolidated)*

TO ALL PARTIES:

On November 9, 2012, the NW Energy Coalition (NVEC) filed a Motion to Withdraw its Decoupling Proposal (Motion) with the Washington Utilities and Transportation Commission (Commission). NVEC notes that not only has the Commission made clear its position that it will not impose decoupling on an unwilling utility, but recently Avista Corporation d/b/a Avista Utilities (Avista), the Commission's regulatory staff, The Energy Project, the Industrial Customers of Northwest Utilities (ICNU), and the Northwest Industrial Gas Users filed a Settlement Agreement expressly stating that Avista will oppose any implementation of electric decoupling prior to January 1, 2015.¹ Given these developments, NVEC requests that the Commission allow it to withdraw its decoupling proposal filed in Dockets UE-110876 and UG-110877.²

NVEC states it is not conceding that the Settlement Agreement as filed is in the public interest or conceding to any of the arguments raised by ICNU opposing decoupling.³

¹ Motion, ¶¶ 1,3.

² *Id.*, ¶ 3.

³ *Id.*, ¶ 4.

NOTICE IS HEREBY GIVEN That parties who wish to respond to NWEAC's Motion must do so by noon, Friday, November 16, 2012.

MARGUERITE E. FRIEDLANDER
Administrative Law Judge