

October 2, 2009

NOTICE OF BENCH REQUEST
(Due by Tuesday, October 6, 2009)
(electronic copies at 11:00 a.m.; hard copies at 1:30 p.m. (at hearing))

RE: *WUTC v. Avista Corporation – General Rate Case*
Dockets UE-090134, UG-090135, and UG-060518 (*consolidated*)

TO ALL PARTIES:

The following bench request (BR) is directed to Avista Corporation, Public Counsel, and Commission Staff. Any other party may also submit a response.

The Joint Testimony in Support of the Partial Settlement Stipulation indicates that the settling parties agreed to certain revenue requirement adjustments: \$36,876,000 in the electric case and \$1,234,000 in the natural gas case.¹ Further, the Partial Settlement Stipulation also updates Avista's post-settlement revenue requirement for its electric case (\$38.61 million) and gas case (\$3.14 million) and notes that non-company parties "continue to recommend a lower revenue requirement, based on the remaining contested issues."² In the Joint Testimony, the non-company parties recommend revenue requirements of "no more than \$32,886,000 for electric and \$3,685,000 [for gas] based on the agreed adjustments, as well as further reductions based on remaining contested issues."³

Bench Request No. 3: Please explain whether the figures contained in the Partial Settlement Stipulation and Joint Testimony in Support of the Partial Settlement Stipulation (cited above) give effect to the same agreed adjustments. Further, please explain:

¹ Exh. JT-1T, Joint Testimony in Support of Partial Settlement Stipulation, at 8:19-21.

² Partial Settlement Stipulation, page 3. *See also*, Exh. JT-1T, at 2:3-6 and 8:17 – 9: 4.

³ Exh. JT-1T, at 2:6-8; *see also* Exh. JT-1T, at 9:4-6.

- a) the difference in the electric case between Avista's \$38.61 million request and the non-party \$32.9 million ceiling for the post-Settlement revenue requirement.
- b) the difference in the natural gas case between Avista's \$3.14 million request and the non-party \$3.7 million ceiling for the post-Settlement revenue requirement.

The parties should be prepared to elaborate, as necessary, on their responses to this Bench Request when they deliver their opening statements regarding the proposed partial settlement at the commencement of the hearing on Tuesday afternoon.

Thank you for your prompt attention to these areas of concern.

Sincerely,

ADAM E. TOREM
Administrative Law Judge

cc: All Parties