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November 14, 2012

SENT VIA E-MAIL AND ABC LEGAL MESSENGER

David W. Danner
Executive Director and Secretary
Washington Utilities and Transportation Commission
1300 S. Evergreen Park Dr. SW
P. O. Box 47250
Olympia, Washington 98504-7250

RE: WUTC v. Avista
Dockets UE-120436, *et. al*

Dear Mr. Danner:

Enclosed please find the original and twenty (20) copies of Public Counsel Response to NVEC's Motion to Withdraw Decoupling Proposal and Certificate of Service for filing in the above-entitled dockets.

Sincerely,

LISA W. GAFKEN
Assistant Attorney General
Public Counsel Division
(206) 464-6215

LWG:cjw
Enclosure

cc: Parties (E-mail and First Class Mail)

CERTIFICATE OF SERVICE
Dockets UE-120436, et. al

I hereby certify that a true and correct copy of Public Counsel Response to NWEC's Motion to Withdraw Decoupling Proposal was sent to each of the parties of record shown below in sealed envelopes, via: U.S. Mail and E-Mail.

SERVICE LIST

**** = Receive Highly Confidential; * = Receive Confidential; NC = Receive Non-Confidential**

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DATED: November 9, 2012.


Carol Williams
Legal Assistant

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION,)	DOCKETS UE-120436 and UG-120437 (<i>Consolidated</i>)
)	
Complainant,)	
)	PUBLIC COUNSEL RESPONSE TO
v.)	NWEC'S MOTION TO WITHDRAW
)	DECOUPLING PROPOSAL
AVISTA CORPORATION d/b/a AVISTA UTILITIES,)	
)	
Respondent.)	
.....)	
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION,)	DOCKETS UE-110876 and UG-110877 (<i>Consolidated</i>)
)	
Complainant,)	
)	
v.)	
)	
AVISTA CORPORATION d/b/a AVISTA UTILITIES,)	
)	
Respondent.)	
.....)	

1. Pursuant to WAC 480-07-375(4) and the Commission's Notice of Opportunity to Respond, dated November 9, 2012, Public Counsel hereby responds to the NW Energy Coalition's Motion to Withdraw Decoupling Proposal.

2. The NW Energy Coalition (NWEC or Coalition) has moved to withdraw its decoupling proposal in light of the proposed settlement currently before the Commission and a recent Commission order in the last Puget Sound Energy rate case. The proposed settlement provides

that Avista will not support adoption of a decoupling mechanism before 2015. The Commission has declined to adopt a decoupling mechanism over a company's objection.¹

3. Public Counsel does not object to withdrawal of NWECE's decoupling proposal.
4. Public Counsel takes no position in this Response regarding NWECE's arguments regarding the merits of ICNU's testimony regarding decoupling.
5. DATED this 14th day of November, 2012.

ROBERT M. McKENNA
Attorney General



LISA W. GAFKEN
Assistant Attorney General
Public Counsel Division

¹ Motion at ¶¶ 1-3. (Citations omitted.)