

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

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION,

Complainant,

v.

AVISTA CORPORATION d/b/a
AVISTA UTILITIES,

Respondents.

DOCKET NOS. UE-011595 &
UE-030751

MOTION TO SUBMIT
SUPPLEMENTAL TESTIMONY

The Public Counsel Section of the Washington State Attorney General's Office (Public Counsel) requests an order of the Commission allowing the submission of supplemental testimony in Dockets UE011595 and UE-030751. See attached, proposed supplemental testimony of Catherine M. Elder (Confidential).

As previously raised in Public Counsel's motion to continue the hearings, significant additional discovery was in fact received from Avista Corporation d/b/a Avista Utilities on or about October 8, 2003. Review of this data has materially altered the analysis of Ms. Catherine M. Elder which was previously submitted on behalf of Public Counsel on August 25, 2003.

Public Counsel believes good cause exists for the Commission to allow the submission of the supplemental testimony proffered by Public Counsel. The data and analysis which is the basis for Ms. Elder's supplemental testimony was not available to Public Counsel at the time her original testimony was submitted on August 25, 2003. Public Counsel believes that the proffered supplemental testimony will assist the Commission in its analysis of the matters now before it.

MOTION TO SUBMIT SUPPLEMENTAL
TESTIMONY

(DOCKET NOS. UE-011595 & UE-030751)

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For the foregoing reasons, Public Counsel respectfully requests the Commission permit the submission of the supplemental testimony of Catherine M. Elder, which is attached for the Commission's review and consideration. Given the limited time remaining prior to hearing Public Counsel requests expedited consideration of this request. To facilitate both the Commission's and the other parties' review of this motion the attached testimony is being submitted as confidential in its entirety. This has been done in order to place this motion before the Commission as soon as possible and to allow all other parties to review the proffered supplemental testimony as soon as possible so that they may formulate a response to the motion, if such is permitted by the Commission.

If the Commission grants the motion and allows the submission of Ms. Elder's proposed supplemental testimony undersigned counsel will prepare an accompanying non-confidential version for submission to the Commission's records center and comply with all other testimonial filing requirements at that time.

DATED this 21st day of November, 2003.

CHRISTINE O. GREGOIRE
Attorney General

ROBERT W. CROMWELL, JR.
Assistant Attorney General