

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF AVISTA) CASE NO. AVU-E-21-02
CORPORATION’S APPLICATION FOR AN)
ORDER APPROVING THE EXTENSION OF) NOTICE OF APPLICATION
A SERVICE TERRITORY AGREEMENT)
BETWEEN AVISTA AND KOOTENAI) NOTICE OF
ELECTRIC COOPERATIVE) MODIFIED PROCEDURE
)
)
) **ORDER NO. 34899**

On January 11, 2021, Avista Corporation (“Avista” or “Company”) filed an Application requesting the Commission approve an amendment to the Service Territory Agreement (“Agreement”) between Avista and Kootenai Electric Cooperative, Inc. (“KEC”).

The Commission now sets deadlines for interested persons to comment on the Application, and for Avista to reply.

NOTICE OF APPLICATION

YOU ARE HEREBY NOTIFIED that Avista and KEC signed the Agreement under the Idaho Electric Supplier Stabilization Act, Idaho Code § 61-332C. The Agreement defines whether Avista or KEC will serve a residential development and subsequent additions to that development.

YOU ARE FURTHER NOTIFIED that the Commission first approved the Agreement in March 2001. Order No. 28681. The Agreement renewed on February 15, 2011 for a 10-year term, which is set to expire February 15, 2021.

YOU ARE FURTHER NOTIFIED that Avista and KEC are negotiating a new service territory agreement but have been unable to agree on all terms. To provide additional time to complete the negotiations, the parties propose to amend the existing Agreement to extend the Agreement’s term.

YOU ARE FURTHER NOTIFIED that if the proposed amendment is approved, the Agreement would renew for successive 12-month terms if neither party terminates the Agreement. The Agreement currently renews for 10-year terms if neither party terminates the Agreement.

YOU ARE FURTHER NOTIFIED that the Application is available for public inspection during regular business hours at the Commission's office. These documents are also available on the Commission's web site at www.puc.idaho.gov. Click on the "ELECTRIC" icon, select "Open Cases," and click on the case number as shown on the front of this document.

YOU ARE FURTHER NOTIFIED that all proceedings in this case will be held pursuant to the Commission's jurisdiction under Title 61 of the Idaho Code and specifically *Idaho Code* §§ 61-501 to 61-503.

YOU ARE FURTHER NOTIFIED that all proceedings in this matter will be conducted pursuant to the Commission's Rules of Procedure, IDAPA 31.01.01.000 *et seq.*

NOTICE OF MODIFIED PROCEDURE

YOU ARE FURTHER NOTIFIED that the Commission has determined that the public interest may not require a formal hearing in this matter and will proceed under Modified Procedure pursuant to Rules 201 through 204 of the Idaho Public Utilities Commission's Rules of Procedure, IDAPA 31.01.01.201 through .204. The Commission notes that Modified Procedure and written comments have proven to be an effective means for obtaining public input and participation.

YOU ARE FURTHER NOTIFIED that persons desiring to state a position on this Application may file a written comment explaining why the person supports or opposes the Application. Persons who would like a hearing must specifically request a hearing in their written comments. **Persons shall have 14 days from the service date of this Notice to file written comments.** Comments must be filed through the Commission website or by e-mail unless computer access is unavailable. To comment electronically, please access the Commission's home page at www.puc.idaho.gov. Click the "Case Comment Form" and complete the form using the case number as it appears on the front of this document. To file by e-mail, the customer must e-mail the comments to the e-mail addresses listed below. In addition to submitting the comments to the Commission Secretary, the customer must also e-mail the Company at the e-mail addresses listed below. If computer access is unavailable, then comments may be mailed to the Commission and Company at these addresses:

**For the Idaho Public Utilities
Commission:**

Commission Secretary
Idaho Public Utilities Commission
P.O. Box 83720
Boise, ID 83720-0074

E-mail: secretary@puc.idaho.gov

Street Address for Express Mail:

11331 W. Chinden Blvd.
Building 8, Suite 201-A
Boise, Idaho 83714

For Avista Corporation:

Michael G. Andrea
Senior Counsel
Patrick Ehrbar
Director of Regulatory Affairs
Avista Corporation
1411 E. Mission Avenue
Spokane, WA 99220

E-mail: Michael.andrea@avistacorp.com
Pat.ehrbar@avistacorp.com

YOU ARE FURTHER NOTIFIED that Avista must file any reply comments **within 15 days of the service date of this order.**

YOU ARE FURTHER NOTIFIED that if no written comments or protests are received within the time limit set, the Commission will consider this matter on its merits and enter its order without a formal hearing. If written comments are received within the time limit set, the Commission will consider them and, in its discretion, may set the same for formal hearing.

ORDER

IT IS HEREBY ORDERED that Avista's Application be processed by Modified Procedure, Rule 201-204 (IDAPA 31.01.01.201-.204). Persons interested in submitting written comments must do so within 14 days of the service date of this order. Avista must file any reply comments within 15 days of the service date of this order.

IT IS FURTHER ORDERED that parties should continue to comply with Order No. 34781, issued September 17, 2020. All pleadings should be filed with the Commission electronically and shall be deemed timely filed when received by the Commission Secretary. *See* Rule 14.02. Service between parties should also be accomplished electronically. Voluminous discovery-related documents may be filed and served on CD-ROM or a USB flash drive.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 20th
day of January 2021.



PAUL KJELLANDER, PRESIDENT

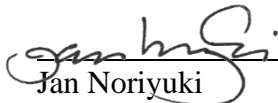


KRISTINE RAPER, COMMISSIONER



ERIC ANDERSON, COMMISSIONER

ATTEST:



Jan Noriyuki
Commission Secretary

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