

DECISION MEMORANDUM

TO: COMMISSIONER KJELLANDER
COMMISSIONER RAPER
COMMISSIONER ANDERSON
COMMISSION SECRETARY
COMMISSION STAFF
LEGAL

FROM: EDWARD JEWELL
DEPUTY ATTORNEY GENERAL

DATE: JANUARY 15, 2021

SUBJECT: IN THE MATTER OF THE APPLICATION OF AVISTA CORPORATION FOR AN ORDER APPROVING THE EXTENSION OF A SERVICE TERRITORY AGREEMENT BETWEEN AVISTA AND KOOTENAI ELECTRIC COOPERATIVE; CASE NO. AVU-E-21-02.

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”).

BACKGROUND


The Agreement contains a provision that automatically extends the Agreement for successive periods of 10 years unless one of the parties elects to terminate the Agreement. The current term of the Agreement is set to expire on February 15, 2021. Avista states that it has been in negotiations with KEC for a new service territory agreement. To provide additional time to complete negotiations on a new service territory agreement, without committing to another 10-year term, KEC and Avista agreed to the proposed amendment, which provides for automatic renewal of the Agreement for successive 12-month terms.

STAFF RECOMMENDATION

Staff recommends the Commission issue a Notice of Application and Notice of Modified Procedure and establish a 14-day comment period and a 1-day reply comment period. The shorter than typical schedule is designed to allow sufficient time for Staff review and public input while also providing time for the Commission to issue an order prior to February 15, 2021. Staff informally conferred with the Company and the Company concurs with the proposed schedule.

COMMISSION DECISION

Does the Commission wish to issue a Notice of Application and Notice of Modified Procedure and establish a 14-day comment period and a 1-day reply comment period?



Edward J. Jewell
Deputy Attorney General

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