

DECISION MEMORANDUM

TO: COMMISSIONER ANDERSON
COMMISSIONER CHATBURN
COMMISSIONER HAMMOND
COMMISSION SECRETARY
COMMISSION STAFF
LEGAL

FROM: CLAIRE SHARP
DEPUTY ATTORNEY GENERAL

DATE: AUGUST 16, 2022

RE: AVISTA'S COMPLIANCE FILING IN THE MATTER OF THE JOINT PETITION OF AVISTA CORPORATION AND FORD HYDRO LIMITED PARTNERSHIP FOR APPROVAL OF A POWER PURCHASE AND SALE AGREEMENT; CASE NO AVU-E-22-07.

BACKGROUND

On August 8, 2022, the Commission issued Order No. 35489, which approved the Second Amended and Restated Power Purchase Agreement ("Second Amended PPA") between Avista Corporation d/b/a Avista Utilities ("Company") and Ford Hydro Limited Partnership ("Seller"), effective as of July 1, 2022, conditioned on the parties updating Section 9.7 Modification to the Facility/Avista Right to Inspect.

On August 10, 2022, Avista filed Amendment 1 to the Second Amended PPA ("Amendment 1") to comply with the Order.

STAFF ANALYSIS


Staff has reviewed Amendment 1 and the updated Section 9.7 complies with Order No. 35489. The parties entered into Amendment 1 on August 10, 2022, and requested that Amendment 1 be effective on August 10, 2022, or such other date as set by the Commission. Staff believes it is reasonable to set an effective date of Amendment 1 based on when the parties entered into the Amendment.

STAFF RECOMMENDATION

Staff recommends that the Commission approve Amendment 1 with a retroactive effective date of August 10, 2022.

COMMISSION DECISION

Does the Commission wish to approve Amendment 1 with a retroactive effective date of August 10, 2022?



Claire Sharp
Deputy Attorney General

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