

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF AVISTA’S) CASE NO. AVU-E-24-01
APPLICATION FOR APPROVAL OF AN)
AGREEMENT ALLOCATING TERRITORY) NOTICE OF APPLICATION
WITH KOOTENAI ELETRIC)
COOPERATIVE) NOTICE OF
) MODIFIED PROCEDURE
)
) ORDER NO. 36091
)

On January 8, 2024, Avista Corporation dba Avista Utilities (“Company”) applied for approval of a service allocation agreement (“Agreement”) between the Company and Kootenai Electric Cooperative (“KEC”). The Agreement, which the Company and KEC entered pursuant to the Electric Supplier Stabilization Act (“ESSA”), addresses the allocation of service territory within the Prairie Crossing Regional Shopping Center in Post Falls, Idaho (“Development”). The Company requests that the Application be processed by Modified Procedure.

The Commission now issues this Notice of Application and Notice of Modified Procedure.

NOTICE OF APPLICATION

YOU ARE HEREBY NOTIFIED that the Agreement allocates four lots within the Development to the Company and ten lots to KEC.

YOU ARE FURTHER NOTIFIED that the Company represents that a similar agreement between itself and KEC allocating territory in a commercial development was approved by the Commission in Case No. AVU-E-05-02.

YOU ARE FURTHER NOTIFIED that the Company asserts that approval of the Agreement will avoid unnecessary future disputes, needless duplication of facilities, and ensure provision of the best possible service to the parties’ respective customers.

YOU ARE FURTHER NOTIFIED that the Company’s Application and Attachments are available for public inspection during regular business hours at the Commission’s office. These documents are also available on the Commission’s website at www.puc.idaho.gov. Click on the “ELECTRIC” icon, select “Open Cases,” then 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.

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 it will review the case through written submissions under the Commission's Rules of Modified Procedure Rules 201-204 of the Idaho Public Utilities Commission's Rules of Procedure, IDAPA 31.01.01.201-204. 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 they support or oppose the Application. Persons who would like a hearing must specifically request a hearing in their written comments. **Persons shall have until March 14, 2024, to file written comments.** Comments must be filed through the Commission's website or by e-mail unless computer access is unavailable. To comment electronically, please access the Commission's website 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, persons must e-mail the comments to the Commission Secretary and all parties at the e-mail addresses listed below. Persons submitting a comment by e-mail must provide their name, address, and the Case Number under which they are commenting. Persons submitting a comment by e-mail also acknowledge that submitting a comment in an open case constitutes a public record under *Idaho Code* § 74-101(13), and all information provided by such person is available for public and media inspection.

If computer access is unavailable, then comments may be mailed to the Commission and the Parties at the addresses below. Persons submitting a comment by mail must provide their name, address, and the Case Number under which they are commenting. Persons submitting a comment by mail also acknowledge that submitting a comment in an open case constitutes a public record

under *Idaho Code* § 74-101(13), and all information provided by such person is available for public and media inspection.

For the Idaho PUC:

Commission Secretary
Idaho Public Utilities Commission
P.O. Box 83720
Boise, ID 83720-0074
secretary@puc.idaho.gov

Street Address for Express Mail:

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

For Avista:

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Michael Andrea
1411 E. Mission Ave.
Spokane, WA 99220
patrick.ehrbar@avistacorp.com
michael.andrea@avistacorp.com

YOU ARE FURTHER NOTIFIED that the Company must file any reply comments **no later than March 28, 2024.**

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

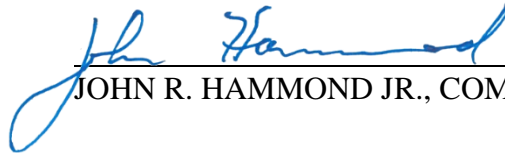
IT IS HEREBY ORDERED that the Company's Application be processed by Modified Procedure, Rules 201-204. Persons interested in submitting written comments must do so no later than March 14, 2024. The Company must file any reply comments by no later than March 28, 2024.

IT IS FURTHER ORDERED that parties comply with Order No. 35375, issued April 21, 2022. Generally, all pleadings should be filed with the Commission electronically and will be deemed timely filed when received by the Commission Secretary. *See* Rule 14.02. Service between parties should continue to be accomplished electronically when possible. However, voluminous discovery-related documents may be filed and served on CD-ROM or a USB flash drive.

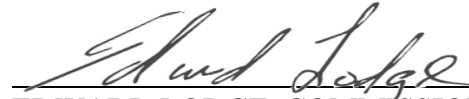
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 15th day of February 2024.



ERIC ANDERSON, PRESIDENT



JOHN R. HAMMOND JR., COMMISSIONER



EDWARD LODGE, COMMISSIONER

ATTEST:



Monica Barrios-Sanchez
Commission Secretary

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