

## **DECISION MEMORANDUM**

**TO:           COMMISSIONER ANDERSON  
COMMISSIONER HAMMOND  
COMMISSIONER LODGE  
COMMISSION SECRETARY  
COMMISSION STAFF  
LEGAL**

**FROM:       ADAM TRIPLETT  
DEPUTY ATTORNEY GENERAL**

**DATE:       FEBRUARY 6, 2024**

**SUBJECT:   IN THE MATTER OF AVISTA’S APPLICATION FOR APPROVAL OF  
AN AGREEMENT ALLOCATING TERRITORY WITH KOOTENAI  
ELECTRIC COOPERATIVE; CASE NO. AVU-E-24-01.**

On January 8, 2024, Avista Corporation dba Avista Utilities (“Company”) applied for an order approving an agreement with Kootenai Electric Cooperative (“KEC”) allocating service territory between the Company and KEC (“Agreement”). 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 Agreement allocates four lots within the Development to the Company and ten lots to KEC. The Company represents that the Commission approved a similar agreement between Avista and KEC allocating territory in a commercial development in Case No. AVU-E-05-02. 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.


The Company requests the Application be processed by Modified Procedure.

### **STAFF RECOMMENDATION**

Staff recommends that the Commission issue a Notice of Application and Notice of Modified Procedure, establishing a March 14, 2024, public comment deadline, and a March 28, 2024, deadline for party reply comments.

## COMMISSION DECISION

Does the Commission wish to issue a Notice of Application and Notice of Modified Procedure, establishing a March 14, 2024, public comment deadline, and a March 28, 2024, deadline for party reply comments?

  
Adam Triplett  
Deputy Attorney General

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