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Attorney for the Commission Staff

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION OF)	
AVISTA CORPORATION FOR THE)	CASE NO. AVU-E-04-1
AUTHORITY TO INCREASE ITS RATES AND)	AVU-G-04-1
CHARGES FOR ELECTRIC AND NATURAL)	
GAS SERVICE TO ELECTRIC AND NATURAL)	NOTICE OF WITNESS
GAS CUSTOMERS IN THE STATE OF IDAHO.)	UNAVAILABILITY
)	
)	MOTION TO DELAY
)	WITNESS TESTIMONY
)	

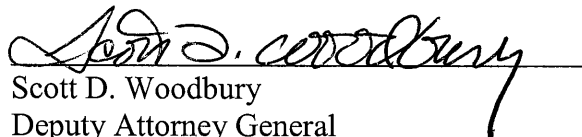
Technical hearing in Case Nos. AVU-E-04-1/AVU-G-04-1 is scheduled to commence in Boise, Idaho on Monday, July 19, 2004 and continuing if necessary through Friday, July 23, 2004.

Commission and Parties of Record are hereby notified that Staff's Cost of Capital witness, Terri Carlock, was in an unfortunate accident on Saturday, July 3, 2004 and sustained a severely fractured ankle (spiral fracture, torn ligaments and tendons, and bone chips). Ms. Carlock underwent surgery on July 7, 2004 and is presently on pain medication. Ms. Carlock is expected to be flat on her back with her foot elevated above her heart for two weeks after surgery. Because of the severity of the break and time required for recovery, it is anticipated that Ms. Carlock will be under a doctor's care and out of the office for up to five weeks. As a result

of her injury, Ms. Carlock will be unable to physically attend the scheduled technical hearing the week of July 19.

Staff apprises the Commission and parties that Ms. Carlock is the only Cost of Capital witness for Staff and that no other member of Commission Staff has the background and capability of sponsoring her testimony. Ms. Carlock's testimony is an integral part of Staff's case. Pursuant to Rule 56 of the Commission's Rules of Procedure, a **Motion** is hereby made to **Delay the Witness Testimony of Ms. Carlock** until such time as she is physically capable of presenting herself in the Commission's Hearing Room, tendering her direct testimony and submitting herself for cross-examination. IDAPA 31.01.01.056. Staff recommends that its Motion be taken up as a preliminary matter prior to hearing on July 19, at which time parties can speak to the Motion and a continued hearing date can be established. IDAPA 31.01.01.252 (Continuance of Hearing).

Respectfully submitted this 9th day of July 2004.


Scott D. Woodbury
Deputy Attorney General
for Commission Staff

bls/N:AVUE0401_AVUG0401_sw_Motion

CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT I HAVE THIS 9th DAY OF JULY 2004, SERVED THE FOREGOING **NOTICE OF WITNESS UNAVAILABILITY AND MOTION TO DELAY WITNESS TESTIMONY**, IN CASE NO. AVU-E-04-1/AVU-G-04-1, BY MAILING A COPY THEREOF, POSTAGE PREPAID, TO THE FOLLOWING:

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