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BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION)	
OF AVISTA CORPORATION TO)	CASE NO. AVU-E-23-01;
INCREASE ITS RATES AND CHARGES)	AVU-G-23-01
FOR ELECTRIC AND NATURAL GAS)	
SERVICE FOR ELECTRIC AND)	REQUEST FOR PERMEISSION
NATURAL GAS CUSTOMERS IN THE)	FOR ICL/NWEC WITNESS
STATE OF IDAHO)	LAUREN McCLOY TO APPEAR
)	REMOTLY
)	
)	IDAHO CONSERVATION LEAGUE
)	AND NW ENERGY COALITION

COMES NOW The Idaho Conservation League (“ICL”) and NW Energy Coalition (“NWEC”, together “ICL/NWEC”), jointly, to request permission from the Commission for witness Lauren McCloy to appear remotely in technical hearings in Avista Corporation’s (“Avista” or “Company”) joint gas and electric general rate case.

The Commission’s established the original procedural schedule in this case on April 12, 2023 as part of Order No. 35736. The order scheduled a technical hearing to commence on August 1, 2023, continuing until August 3, 2023 (as needed).² The Commission then vacated the procedural schedule on June 8, 2023 in Order No. 35808 in anticipation of a settlement and

¹ Order No. 35718
² Order No. 35736, at 1.

stipulation being filed. On June 14, 2023, the Company, Commission Staff (“Staff”), and intervenor parties Clearwater Paper Corporation (“Clearwater”), Idaho Forest Group LLC (“IFG”), and Walmart Inc. (“Walmart”) (collectively “signing parties”) submitted a Settlement and Stipulation (“Settlement”).³ ICL/NWEC participated in settlement negotiations but did not sign the settlement agreement. On July 6, 2023, the Commission noticed the settlement and stipulation and established a new procedural schedule, with a technical hearing to begin on August 2nd, 2023.

On July 12, 2023, ICL/NWEC filed the direct inquiry of witness Lauren McCloy in opposition to the Settlement, predominately focusing on rate design issues.⁴ Testimony in support of the settlement by Staff and the Company also addressed rate design issues.⁵

However, in-person attendance at the technical hearing by witness Lauren McCloy is infeasible. Ms. McCloy resides in rural Washington several hours drive from the nearest commercial airport. She is also responsible for a very young child, making travel difficult without substantial notice. While ICL/NWEC acknowledge that Order No. 35844 establishes a substantially similar date(s) for the technical hearing as the original procedural schedule, ICL/NWEC had no way of knowing that the Commission would establish the hearing on those days once the original procedural schedule was vacated.

ICL/NWEC also acknowledge that the Commission recently noted the value of in-person attendance at technical hearings to afford Parties of the full privilege of cross-examination and allow questioning by the Commission.⁶ ICL/NWEC recognize these values. Nonetheless, in lieu

³ Stipulation and Settlement, Case No AVU-E-23-01 and AVU-G-23-01.

⁴ L. McCloy Di, ICL/NWEC.

⁵ D. English Di, Staff, at 13; Ehrbar, Avista Corporation, Di at 2. IFG submitted a Rebuttal Letter in Lieu of Testimony supporting the proposed settlement – remaining intervenor parties did not submit testimony.

⁶ Order No. 35716, Order on Request for Remote Testimony, Case No. VEO-W-22-02.

of in-person testimony by Ms. McCloy, remote testimony, cross examination, and questioning best serves the development of a complete record and the public interest in this case.

To anticipate and accommodate the rights and privileges of parties, ICL/NWEC conferred with counsel for Staff, the Company, and the intervenor parties on their intention to cross-examine witness McCloy prior to this request. For its part, the Company stated it had no objection to Ms. McCloy appearing remotely. Intervenor Clearwater Paper also indicated it had no objection. No other party responded to the inquiry.

While in-person testimony and cross-examination undoubtedly provides for the greatest exchange of information and development of the record, much of the value of in-person testimony can be accommodated by remote testimony. Audio/video conferencing allows for cross-examination and questioning by interested parties. If this request is granted, ICL/NWEC offers to coordinate with Staff, counsel for parties, and presiding officer of the technical hearing to address audio/video issues and conduct Ms. McCloy's appearance in a preferred remote format.

WHEREFORE, for the above stated reasons, ICL/NWEC respectfully requests the Commission grant this REQUEST FOR WITNESS TO APPEAR REMOTELY. To accommodate necessary planning, ICL/NWEC respectfully asks for expedited consideration.

DATED: July 23, 2023



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CERTIFICATE OF SERVICE

I hereby certify that on this 23rd day of July 2023, I delivered true and correct copies of the foregoing REQUEST FOR WITNESS TO APPEAR REMOTELY in Case No. AVU-E-23-01; AVU-G-23-01 to the following persons via the method of service noted:

/s/ F. Diego Rivas

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