

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION)	
OF AVISTA CORPORATION DBA AVISTA)	CASE NO. AVU-E-01-02
UTILITIES FOR AN ORDER APPROVING A)	
SERVICE TERRITORY AGREEMENT)	
BETWEEN AVISTA UTILITIES AND)	MINUTE ORDER
KOOTENAI ELECTRIC COOPERATIVE,)	
INC.)	

On March 21, 2001, the Commission issued Order No. 28681 approving a Service Territory Agreement between Avista Corporation (dba Avista Utilities) and Kootenai Electric Cooperative, Inc. In the Agreement, the parties agreed that electric service to an entire residential development and subsequent additions to such development shall be determined by which electric supplier serves at least one of the lots in the subdivision pursuant to the provisions of the Idaho Electric Supplier Stabilization Act, *Idaho Code* § 61-332C. The Agreement also provides that it shall initially run for a period of 10 years but shall be automatically extended “for successive periods of ten (10) years upon the same terms and conditions as set forth in this Agreement unless one of the parties” elects to terminate the Agreement.

Either party may terminate the Agreement by notifying the other “not less than sixty (60) days before the end of the initial, or renewal term of [its] intent not to renew the agreement.” Contract, § 3. As approved by the Commission in Order No. 28681, the Agreement, unless extended, was set to expire February 15, 2011.

On January 31, 2011, Avista filed a letter advising the Commission that neither “Avista Utilities nor Kootenai Electric notified each other regarding their intent” to terminate the Agreement. Consequently, the letter stated that the Agreement has been extended for another ten-year term, or until February 15, 2021. For purposes of updating the administrative record, the Commission issues this Minute Order regarding the Service Territory Agreement.

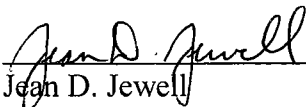
Issued at Boise, Idaho this 24th day of February 2011.


JIM D. KEMPTON, PRESIDENT


MARSHA H. SMITH, COMMISSIONER


MACK A. REDFORD, COMMISSIONER

ATTEST:


Jean D. Jewell
Commission Secretary

b1s/O:AVU-E-01-02_dh_Minute Order