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Attorneys for the Commission Staff

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

<b>IN THE MATTER OF THE APPLICATION</b>	)	
<b>OF AVISTA CORPORATION FOR THE</b>	)	<b>CASE NOS. AVU-E-08-01</b>
<b>AUTHORITY TO INCREASE ITS RATES</b>	)	<b>AVU-G-08-01</b>
<b>AND CHARGES FOR ELECTRIC AND</b>	)	
<b>NATURAL GAS SERVICE TO ELECTRIC</b>	)	
<b>AND NATURAL GAS CUSTOMERS IN THE</b>	)	<b>ANSWER OF COMMISSION STAFF</b>
<b>STATE OF IDAHO</b>	)	<b>TO PETITION TO INTERVENE OF</b>
	)	<b>BENNETT FOREST INDUSTRIES</b>

COMES NOW Commission Staff (Staff) pursuant to Rules of Procedure 57 and 75, and hereby answers the untimely and late-filed Petition to Intervene of Bennett Forest Industries, Inc. (Bennett Forest).

On April 3, 2008, Avista Corporation dba Avista Utilities (Avista; Company) filed an Application with the Idaho Public Utilities Commission (Commission) for authority to increase the Company's general rates for electric service in Idaho.

On April 16, 2008, the Commission issued a Notice in Case No. AVU-E-08-01 establishing a May 9, 2008 intervention deadline. Timely Petitions for Intervention were filed by Potlatch Corporation and Community Action Partnership Association of Idaho.

On August 18, 2008, Bennett Forest filed its untimely and late-filed Petition to Intervene. Bennett Forest is a Schedule 25 customer of Avista located in Grangeville, Idaho.

ANSWER OF COMMISSION STAFF  
 TO PETITION TO INTERVENE OF  
 BENNETT FOREST INDUSTRIES

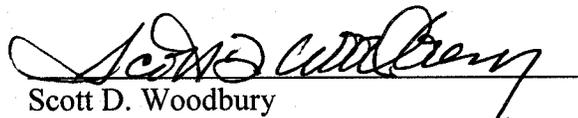
Bennett Forest seeks to intervene to participate in the scheduled August 28, 2008 technical hearing in Boise on the Joint Settlement Stipulation of the parties filed with the Commission August 8, 2008. To clarify the proposed nature of its participation, Bennett Forest states the following:

- It will not seek to introduce testimony at the technical hearing.
- It may ask clarifying questions on cross-examination of witnesses supporting the Settlement Stipulation to aid in preparing written comments by the September 5, 2008 deadline.
- It understands that it is bound by all Orders and Notices previously entered.
- It will not seek to alter or modify prior Orders and Notices.
- Its participation, it commits, will not cause disruption of the existing schedule, nor will it result in prejudice to existing parties or an undue broadening of the issues.

Staff agrees and concurs with the representations and positions of Avista set forth in the Company's Answer to Bennett's Petition to Intervene filed on August 20, 2008. Staff too is concerned with Bennett's late entry into the rate proceedings and does not want to see Bennett's "clarifying questions" enlarged to become discovery. In committing to be bound by all Notices previously entered, Bennett commits to be bound by the production request deadline which expired July 29, 2008. Bennett Forest's questions must be circumscribed and the parties should be given latitude to object to what they believe to be improper questions.

Wherefore, Commission Staff respectfully urges the Commission to condition any grant of late-filed intervention, so as to avoid any disruption or delay of the proceedings and a broadening of the issues to the prejudice of the parties.

Respectfully submitted this 21<sup>st</sup> day of August 2008.



Scott D. Woodbury  
Deputy Attorney General  
for Commission Staff

bls/N:AVU-E-08-01\_AVU-G-08-01\_sw4\_Answer

ANSWER OF COMMISSION STAFF  
TO PETITION TO INTERVENE OF  
BENNETT FOREST INDUSTRIES

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT I HAVE THIS 21<sup>ST</sup> DAY OF AUGUST 2008, SERVED THE FOREGOING ANSWER OF COMMISSION STAFF TO PETITION TO INTERVENE OF BENNETT FOREST INDUSTRIES, IN CASE NOS. AVU-E-08-01 & AVU-G-08-01, BY MAILING A COPY THEREOF, POSTAGE PREPAID, TO THE FOLLOWING:

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