

**Avista Corporation**  
1411 East Mission P.O. Box 3727  
Spokane, Washington 99220-3727  
Telephone 509-489-0500  
Toll Free 800-727-9170

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2009 JUN -4 AM 9:00

IDAHO PUBLIC  
UTILITIES COMMISSION

June 3, 2009

Jean Jewell, Secretary  
Idaho Public Utilities Commission  
472 W. Washington St.  
Boise, ID 83720-0074

Re: IPUC Case NO. AVU-E-09-04  
Motion for Limited Admission and to Excuse Local Counsel

Dear Secretary Jewell:

Pursuant to IPUC Rule of Procedure 19 and Idaho Bar Commission Rule 222, enclosed for filing is a Motion for Limited Admission and to Excuse Local Counsel ("Motion") requesting limited admission for Michael G. Andrea in the above-referenced proceeding. A proposed order granting the Motion is also enclosed for the Commission's convenience.

A copy of this Motion, accompanied by a \$200 fee, will be provided to the Idaho State Bar, and copies have been served on all other parties to this matter.

Thank you for your assistance in this matter. Please contact me if you have any questions about this filing.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael G. Andrea", written over a horizontal line.

Michael G. Andrea  
Senior Counsel

Enclosures

cc: Service List  
Idaho State Bar

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IDAHO PUBLIC UTILITIES COMMISSION

Michael G. Andrea (Pro Hac Vice)  
Senior Counsel  
Avista Corporation  
1411 East Mission Avenue, MSC-23  
Spokane, WA 99202  
Telephone: (509) 495-4316  
Facsimile: (509) 777-5468  
Email: michael.andrea@avistacorp.com

Joseph N. Pirtle  
ELAM & BURKE, P.A.  
251 E. Front Street, Suite 300  
Post Office Box 1539  
Boise, ID 83701  
Telephone: (208) 343-5454  
Facsimile: (208) 384-5844  
Email: jnp@elamburke.com  
Pirtle – ISB #6973

Attorneys for Avista Corporation

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

IN THE MATTER OF A PETITION FILED BY	)	
AVISTA CORPORATION FOR AN ORDER	)	CASE NO. AVU-E-09-04
DETERMINING THE OWNERSHIP OF THE	)	
ENVIRONMENTAL ATTRIBUTES (“RECS”)	)	
ASSOCIATED WITH A QUALIFYING	)	MOTION FOR LIMITED
FACILITY UPON PURCHASE BY A UTILITY	)	ADMISSION AND TO
OF THE ENERGY PRODUCED BY A	)	EXCUSE LOCAL COUNSEL
QUALIFYING FACILITY	)	
_____	)	

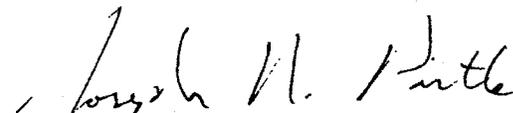
The undersigned local counsel, Joseph N. Pirtle of Elam & Burke, P.A., petitions the Idaho Public Utilities Commission (“IPUC”) for admission of the undersigned applying counsel, Michael G. Andrea. This Motion is made pursuant to Idaho Bar Commission Rule (“IBCR”) 222 and IPUC Rules of Procedure 19 for the purpose of the above-captioned matter.

Applying counsel certifies that he is an active member in good standing of the bars of the States of Washington and Oregon,<sup>1</sup> that he maintains the regular practice of law as an attorney for Avista Corporation at the address indicated above, and that he is not a resident of the State of Idaho or licensed to practice law in Idaho.<sup>2</sup> Avista Corporation has requested that he appear on its behalf in the above-captioned matter. Applying counsel has not previously sought admission in these matters under IBCR 222.

Both undersigned counsel certify that a copy of this Motion has been served on all other parties to this matter and that a copy of the Motion, accompanied by a \$200 fee, has been provided to the Idaho State Bar.

Local counsel certifies that the above information is true to the best of his knowledge, after reasonable investigation. Local counsel acknowledges that his attendance is required at all IPUC proceedings in the above-captioned matters in which applying counsel appears, unless specifically excused by the IPUC. The undersigned local counsel requests that he be excused by the IPUC from attendance at proceedings before the IPUC in the above-captioned matter.

DATED this 3<sup>rd</sup> day of June 2009.

  
Joseph N. Pirtle, ISB #6973

  
Michael G. Andrea, Applying Counsel

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<sup>1</sup> Mr. Andrea is also a voluntarily inactive member of the District of Columbia Bar.

<sup>2</sup> In April 2009, Mr. Andrea submitted an application for reciprocal admission to the Idaho State Bar. The Idaho State Bar has not yet acted on Mr. Andrea's application.

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

IN THE MATTER OF A PETITION FILED BY )  
AVISTA CORPORATION FOR AN ORDER ) CASE NO. AVU-E-09-04  
DETERMINING THE OWNERSHIP OF THE )  
ENVIRONMENTAL ATTRIBUTES ("RECS") )  
ASSOCIATED WITH A QUALIFYING ) ORDER GRANTING  
FACILITY UPON PURCHASE BY A UTILITY ) LIMITED ADMISSION AND  
OF THE ENERGY PRODUCED BY A ) EXCUSING LOCAL  
QUALIFYING FACILITY ) COUNSEL  
\_\_\_\_\_ )

On June \_\_\_\_, 2009, Joseph N. Pirtle, local counsel, and Michael G. Andrea, applying counsel, filed a Motion with the Idaho Public Utilities Commission ("Commission") for limited admission of Michael G. Andrea in the above-captioned proceedings. Reference Idaho Bar Commission Rule ("IBCR") 222; IPUC Rule of Procedure 19.

Mr. Andrea certifies that he is an active member in good standing of the Bars of the State of Washington and Oregon and that he maintains a regular practice of law at Avista Corporation, 1411 East Mission Avenue, Spokane Washington, 99202. Mr. Andrea further certifies that he is not a resident of the State of Idaho and that he is not licensed to practice in Idaho and that he has not previously sought admission in these matters under IBCR 222.<sup>1</sup>

Both Mr. Pirtle and Mr. Andrea certify that a copy of the Motion, accompanied by a \$200 fee, has been provided to the Idaho State Bar.

<sup>1</sup> Mr. Andrea is also a voluntarily inactive member of the D.C. Bar and recently applied to the Idaho State Bar for reciprocal admission. The Idaho State Bar has not yet acted on Mr. Andrea's application for reciprocal admission.

Mr. Pirtle requests that he be excused by the Commission from attendance at the proceedings before the Commission in the above-captioned matters.

### **COMMISSION FINDINGS**

The Commission has reviewed and considered the Motion for Limited Admission in the above-captioned proceeding and the related practice rules and Rules of Procedure, i.e., IBCR 222 (Limited Admission – Pro Hac Vice) and Commission Rule of Procedure 19, IDAPA 31.01.01.019.

Based on the filings of record and certified representations of Mr. Pirtle and Mr. Andrea, we find that reasonable grounds have been demonstrated to justify the granting of limited admission of Mr. Andrea as legal counsel for Avista Corporation in the above-captioned proceedings. We further find it reasonable to excuse Mr. Pirtle from attendance at proceedings before the Commission in this matter.

### **CONCLUSIONS OF LAW**

The Commission has jurisdiction in the above-captioned proceedings and the Motion for Limited Admission filed by Joseph N. Pirtle, local counsel, and Michael G. Andrea, applying counsel pursuant to Idaho Code, Title 61, and the Commission's Rules of Procedure, IDAPA 31.01.01.000 *et seq.*

### **ORDER**

In consideration of the foregoing and as more particularly described above, IT IS HEREBY ORDERED and Michael G. Andrea is hereby granted limited admission in Case No. AVU-E-09-04 as legal counsel for Avista Corporation.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho, this  
\_\_\_ day of June 2009.

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JIM KEMPTON, PRESIDENT

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MARSHA H. SMITH, COMMISSIONER

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MACK A. REDFORD, COMMISSIONER

ATTEST:

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Jean D. Jewell  
Commission Secretary

ORDER NO. \_\_\_\_\_

CERTIFICATE OF SERVICE

I hereby certify that on this 3<sup>rd</sup> day of June 2009, true and correct copies of the foregoing MOTION FOR LIMITED ADMISSION AND TO EXCUSE LOCAL COUNSEL were delivered to the following persons via overnight delivery (for the Commission) and U.S. Mail for all other participants.

Jean Jewell (original)  
Idaho Public Utilities Commission  
472 W. Washington St.  
Boise, ID 83702

Scott Woodbury  
Deputy Attorney General  
Idaho Public Utilities Commission  
472 W. Washington St.  
Boise, ID 83702

Dean J. Miller, Esq.  
McDevitt, & Miller, LLP  
PO Box 2564  
Boise, ID 83701-2564

Peter Richardson  
Richardson & O'Leary  
515 N. 27th St.  
PO Box 7218Boise, ID 83702

Daniel E. Solander  
Senior Counsel  
Rocky Mountain Power  
201 S. Main Street, Suite 2300  
Salt Lake City, UT 84111

Ted Weston  
ID Regulatory Affairs Manager  
Rocky Mountain Power  
201 S. Main Street, Suite 2300  
Salt Lake City, UT 84111

Donovan E. Walker  
Barton L. Kline  
Idaho Power Company  
PO Box 70  
Boise, ID 83707-0070

Greg W. Said  
Randy C. Allphin  
Idaho Power Company  
PO Box 70  
Boise, ID 83707-0070

Ted S. Sorenson, P.E.  
Sorenson Engineering, Inc.  
5203 South 11<sup>th</sup> East  
Idaho Falls, ID 83404

Scott Atkinson, President  
Idaho Forest Group LLC  
171 Highway 95 N  
Grangeville, ID 83530

Benjamin Ellis  
Vice President  
20 Willow Street  
Jackson, WY 83001



Michael G. Andrea