

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

**IN THE MATTER OF AVISTA)
CORPORATION'S PROPOSED REVISION) CASE NO. AVU-E-10-02
OF TARIFF I.P.U.C. NO. 28 FOR)
SCHEDULE 63) NOTICE OF APPLICATION
)
) NOTICE OF
) MODIFIED PROCEDURE
)
) ORDER NO. 31090**

On April 20, 2010, Avista Corporation (hereinafter "Avista") filed electronically its First Revision of Tariff Sheet No. 63 canceling Original Sheet No. 63 of Tariff I.P.U.C. No. 28 (hereinafter "Filing"). The Company proposes an effective date for the revised tariff sheet of May 20, 2010.

NOTICE OF APPLICATION

YOU ARE HEREBY NOTIFIED that Avista's Filing proposes to alter the maximum generating capacity that Schedule No. 63 (Net Metering) customers may connect to the system while still being eligible for the Net Metering Program. Currently, Avista allows customers to enroll as Net Metering customers on a "first come, first serve" basis until the cumulative generating capacity of all Net Metering customers equals 1.52 MW (0.1% of Avista's retail peak demand in 1996). To be eligible for the Net Metering Program, customers must own a facility, located on the customer's premises, that generates electricity and uses as its fuel either solar, wind, biomass or hydropower, or represents fuel cell technology.

YOU ARE FURTHER NOTIFIED that Avista's Filing seeks to increase the allowable generating capacity from its current 25 kilowatt ("kW") maximum to a 100 kW maximum.

YOU ARE FURTHER NOTIFIED that Avista states that the current average customer using net metering is in the range of 5-10 kW. Increasing the cap to 100 kW would allow for larger generating facilities. Avista asserts that the proposed revision would not impact the distribution system or other customers' service.

YOU ARE FURTHER NOTIFIED that the Commission Staff recommended the Commission suspend the filing so that Staff could investigate. The Commission finds there is

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good cause to suspend the proposed effective date of this matter pursuant to *Idaho Code* § 61-622.

NOTICE OF MODIFIED PROCEDURE

YOU ARE FURTHER NOTIFIED that the Commission has determined that the public interest may not require a formal hearing in this matter and will proceed under Modified Procedure pursuant to Rules 201 through 204 of the Idaho Public Utilities Commission's Rules of Procedure, IDAPA 31.01.01.201 through .204. The Commission notes that Modified Procedure and written comments have proven to be an effective means for obtaining public input and participation.

YOU ARE FURTHER NOTIFIED that any person desiring to state a position on this Filing may file a written comment in support or opposition with the Commission within twenty-eight (28) days from the service date of this Notice. The comment must contain a statement of reasons supporting the comment. Persons desiring a hearing must specifically request a hearing in their written comments. Written comments concerning this Filing shall be mailed to the Commission and Avista at the addresses reflected below:

Commission Secretary
Idaho Public Utilities Commission
PO Box 83720
Boise, ID 83720-0074

Paul Kimball
Avista Corporation
1411 E. Mission Avenue
Spokane, Washington 99220
E-mail: paul.kimball@avistacorp.com

Street Address for Express Mail:

472 W. Washington Street
Boise, ID 83702-5918

These comments should contain the case caption and case number shown on the first page of this document. Persons desiring to submit comments via e-mail may do so by accessing the Commission's home page located at www.puc.idaho.gov. Click the "Comments and Questions" icon, and complete the comment form, using the case number as it appears on the front of this document. These comments must also be sent to Avista at the e-mail address listed above.

YOU ARE FURTHER NOTIFIED that if no written comments or protests are received within the time limit set, the Commission will consider this matter on its merits and enter its Order without a formal hearing. If written comments are received within the time limit

set, the Commission will consider them and, in its discretion, may set the same for formal hearing.

YOU ARE FURTHER NOTIFIED that Avista's Filing with the Commission is available for public inspection during regular business hours at the Commission offices. The Filing is also available on the Commission's web site at www.puc.idaho.gov by clicking on "File Room" and then "Electric Cases."

YOU ARE FURTHER NOTIFIED that all proceedings in this case will be held pursuant to the Commission's jurisdiction under Title 61 of the Idaho Code and specifically *Idaho Code* § 61-307. The Commission may enter any final Order consistent with its authority under Title 61.

YOU ARE FURTHER NOTIFIED that all proceedings in this matter will be conducted pursuant to the Commission's Rules of Procedure, IDAPA 31.01.01.000 *et seq.*

ORDER

IT IS HEREBY ORDERED that the proposed effective date of Avista's Filing shall be suspended for a period of thirty (30) days plus five (5) months from May 20, 2010, or until such time as the Commission enters an Order accepting, rejecting, or modifying the request in this matter.

IT IS FURTHER ORDERED that Avista's Filing shall be processed under Modified Procedure. Persons interested in submitting written comments regarding this case or protesting the use of Modified Procedure should do so no later than 28 days from the service date of this Order.

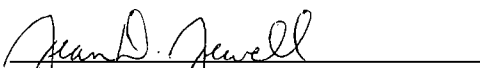
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 20th
day of May 2010.


JIM D. KEMPTON, PRESIDENT


MARSHA H. SMITH, COMMISSIONER


MACK A. REDFORD, COMMISSIONER

ATTEST:


Jean D. Jewell
Commission Secretary

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