

MEMORANDUM

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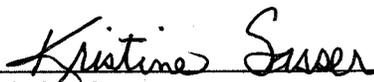
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**FROM: KRISTINE A. SASSER
DEPUTY ATTORNEY GENERAL**

DATE: JUNE 13, 2011

**SUBJECT: MARIAH WIND, LLC COMPLAINT AGAINST AVISTA
CORPORATION, CASE NO. AVU-E-10-05**

On December 10, 2010, Mariah Wind, LLC filed a formal complaint against Avista Corporation for Avista's refusal "to enter into a power purchase agreement containing the published avoided cost rates in Order No. 31025 and reasonable and legal terms regarding ownership of environmental attributes, delay damages and security, and wind integration." Complaint at 7. On December 15, 2010, a summons was issued by the Idaho Public Utilities Commission notifying Avista that a complaint had been filed and directing Avista to file an answer within 21 days. Avista filed an Answer with the Commission on January 5, 2011. Avista denied all material allegations of the complaint. On May 4, 2011, Mariah Wind filed a Notice of Withdrawal of its Complaint. Mariah Wind "determined it will pursue other alternatives for its qualifying facility, rather than litigate the Complaint against Avista Corporation in this case." Withdrawal at 1. Consequently, this case should now be closed.



Kristine Sasser
Deputy Attorney General