DECISION MEMORANDUM

TO:COMMISSIONER HANSEN

COMMISSIONER SMITH

COMMISSIONER KJELLANDER

MYRNA WALTERS

TONYA CLARK

BILL EASTLAKE

DON HOWELL

STEPHANIE MILLER

KEITH HESSING

TERRI CARLOCK

KATHY STOCKTON

MARGE MAXWELL

DAVID SCOTT

WORKING FILE

FROM:SCOTT WOODBURY

DATE:MARCH 31, 1999

RE:CASE NO. WWP-E-98-11

GENERAL RATE CASE  (AVISTA)

LATE FILED PETITION FOR INTERVENTION (HECLA; SILVER VALLEY; SUNSHINE)

On December 18, 1998, the Idaho Public Utilities Commission (Commission) received an application from The Washington Water Power Company (now Avista Corporation dba Avista Utilities – Washington Water Power Division; Avista; Company) in Case No. WWP-E-98-11 requesting approval of increased rates and charges for electric service in the state of Idaho.

On December 30, 1998, the Commission issued Notices of Application and Intervention Deadline in Case No. WWP-E-98-11.  The established deadline for filing a petition to intervene for the purpose of becoming a party, i.e., to present evidence, to acquire rights of cross-examination, to participate in settlement or negotiation conferences, and to make and argue motions was Friday, January 22, 1999.  Reference IDAPA 31.01.01.072 and -.073.

On March 30, 1999, a late filed Petition for Intervention (attached) was filed by Hecla Mining Company (Hecla), Silver Valley Resources Corp. (Silver Valley) and Sunshine Mining and Refining Company (Sunshine).  The petitioners represent that they comprise some of the largest single electric customers of Avista and as such have a direct and substantial interest in these proceedings because the Commission’s decision may directly or indirectly affect the rates or service quality of electricity delivered to them.  Petitioners acknowledge that their Petition is not timely filed, however, commit that their participation will not unduly broaden the issues or otherwise delay these proceedings.  To that end, they specifically aver that they will not directly or indirectly seek to affect the schedule in place for resolution and disposition of issues.

No party opposes the late filed Petition for Intervention.

COMMISSION DECISION

Should the late filed Petition for Intervention filed by Hecla, Silver Valley and Sunshine in Case No. WWP-E-98-11 be approved?  With or without qualifying language?

Scott Woodbury

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