

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

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In the Matter of)	
)	
PUBLIC UTILITY COMMISSION OF)	
OREGON directing AVISTA)	BENCH REQUEST
CORPORATION., dba AVISTA UTILITIES,)	
)	
to file tariffs establishing automatic adjustment)	
clauses under the terms of SB 408.)	

On January 20, 2009, Avista Corp., dba Avista Utilities (Avista), Staff of the Public Utility Commission of Oregon (Staff), the Citizens' Utility Board of Oregon (CUB), and the Northwest Industrial Gas Users (NWIGU) filed a stipulation purporting to resolve all outstanding issues in this docket and joint testimony in support of the stipulation. Other parties had the opportunity to object to the stipulation by February 9, 2009. No objections were received.

The Commission needs more information to determine whether the stipulation appropriately resolves the issues in this docket. Avista, Staff, CUB, and NWIGU are therefore directed to file a brief explaining how the stipulation complies with ORS 757.268 and whether the Commission has the discretion to adopt the stipulation in light of the mandatory language requiring a refund to customers of taxes collected but not paid to taxing authorities. The parties may choose to file a joint brief or separate briefs. Brief(s) must be filed by February 19, 2009.

Dated this 10th day of February, 2009, at Salem, Oregon.

Sarah K. Wallace
Administrative Law Judge