

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

POTLATCH CORPORATION,)	
)	CASE NO. AVU-E-02-08
Complainant)	
)	
v.)	
)	
AVISTA UTILITIES,)	
)	
Respondent.)	ORDER NO. 29435
)	

On January 15, 2004, the Idaho Public Utilities Commission (Commission) in Order No. 29418, Case No. AVU-E-03-7, approved an Avista Corporation/Potlatch Corporation Purchase and Sale Agreement (Agreement) dated July 22, 2003. Part of the mutual consideration recited in the Joint Petition in Case No. AVU-E-03-7 and related Agreement is the settlement of all known disputes between the parties before the Idaho Commission. Reference Joint Petition ¶ 11(b); Agreement § 31. The Commission in Order No. 29418 determined that the Agreement finally concludes Commission Case No. AVU-E-02-8, Potlatch’s complaint alleging that Avista had refused to purchase the cogeneration output of the Lewiston plant. The Commission accordingly finds it reasonable to enter a final Order concluding and closing the docket in Case No. AVU-E-02-8.

CONCLUSIONS OF LAW

The Idaho Public Utilities Commission has jurisdiction over Avista Corporation dba Avista Utilities, an electric utility, pursuant to the authority granted the Commission in Idaho Code, Title 61 and the Public Utility Regulatory Policies Act of 1978 (PURPA).

The Commission has authority under PURPA and the implementing regulations of the Federal Energy Regulatory Commission (FERC) to set avoided costs, to order electric utilities to enter into fixed term obligations for the purchase of energy from qualified facilities, and to implement FERC rules.

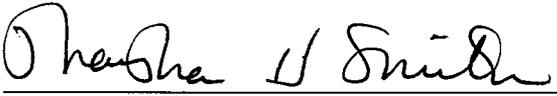
ORDER

In consideration of the foregoing and as more particularly described above, IT IS HEREBY ORDERED and the Commission does hereby finally conclude and close the docket in Case No. AVU-E-02-8.

THIS IS A FINAL ORDER. Any person interested in this Order (or in issues finally decided by this Order) may petition for reconsideration within twenty-one (21) days of the service date of this Order with regard to any matter decided in this Order. Within seven (7) days after any person has petitioned for reconsideration, any other person may cross-petition for reconsideration. See *Idaho Code* § 61-626.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 25th day of February 2004.


PAUL KJELLANDER, PRESIDENT


MARSHA H. SMITH, COMMISSIONER


DENNIS S. HANSEN, COMMISSIONER

ATTEST:


Jean D. Jewell
Commission Secretary

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