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**UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION**

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FEDERAL ENERGY
REGULATORY
COMMISSION

- Avista Corporation)
- Bonneville Power Administration)
- Idaho Power Company)
- The Montana Power Company)
- Nevada Power Company)
- PacifiCorp)
- Portland General Electric Company)
- Puget Sound Energy, Inc.)
- Sierra Pacific Power Company)

Docket No. RT01-35-000

**MOTION TO INTERVENE AND
COMMENTS OF AVISTA ENERGY, INC.**

Pursuant to the October 20, 2000 Notice of Filing in this proceeding and Rule 214 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission ("FERC" or "Commission"), 18 CFR § 385.214 (2000), Avista Energy, Inc. ("Avista Energy") hereby moves to intervene in the above-captioned proceeding. In support thereof, Avista Energy states as follows:

001121-0013-1

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I. Communications

All communications, correspondence, and documents related to these proceedings should be directed to the following persons:

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II. Background

On October 23, 2000, Avista Corporation, Bonneville Power Administration, Idaho Power Company, the Montana Power Company, Nevada Power Company, PacifiCorp, Portland General Electric Company, Puget Sound Energy, Inc., and Sierra Pacific Power Company (collectively the "Filing Utilities") submitted to the Commission an Order No. 2000 compliance filing (the "October 23 Filing"). See Supplemental Compliance Filing and Request for Declaratory Order Pursuant to Order 2000, Docket No. RT01-35-000 (October 23, 2000). In that submittal, the Filing Utilities provide a proposal to form RTO West, a regional transmission organization that would operate high-voltage transmission lines in Washington, Oregon, Idaho, Nevada, Utah, and parts

of Montana, Wyoming, Montana, and California. The October 23 Filing also requests, on behalf of all of the filing utilities, a declaratory order addressing the following items: (1) the form of the RTO West First Restated Articles of Incorporation and RTO West Bylaws; (2) the scope and configuration of RTO West; and (3) the form of Agreement Limiting Liability Among RTO West Participants. In addition, three of the nine Filing Utilities – Bonneville Power Administration, Idaho Power Company, and PacifiCorp – are requesting an order declaring that the concepts embodied in the proposed RTO West Transmission Operating Agreement and Agreement to Suspend Provisions of Pre-Existing Transmission Agreements are consistent with the requirements of Order No. 2000. The October 23 Filing notes that the remaining Filing Utilities require more time to review those documents; therefore, those utilities did not join in the request for approval. Recognizing that not all of the details of the Transmission Operating Agreement have been resolved, the parties represented in their October 23 Filing that they would continue their negotiations and re-file a revised agreement with the Commission on December 1, 2000.

III. Grounds for Intervention

Avista Energy is an energy marketing company that buys and sells electricity at market-based rates pursuant to a tariff filed by Avista Energy's predecessor, WWP Resources Services, Inc., and approved by the Commission in Docket No. ER96-2408,

WWP Resources Services, Inc., 76 FERC ¶ 61,255 (1996). Avista Energy is a wholly-owned subsidiary of Avista Capital, which is a wholly-owned subsidiary of Avista Corporation.

As a power marketer which buys and sells electricity in the bilateral markets in the Pacific Northwest, Avista Energy would be a transmission customer of RTO West. Accordingly, Avista Energy has a direct interest in the above-captioned proceedings. Moreover, Avista Energy's interests cannot be represented adequately by any other party. For these reasons, it is appropriate that Avista Energy be permitted to intervene in this proceeding, and to participate with full rights as a party.

IV. Comments of Avista Energy

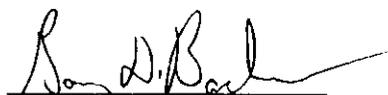
Avista Energy is concerned about a number of issues as currently addressed in the Transmission Operating Agreement, including some aspects of RTO West's pricing proposal. In addition, Avista Energy believes that other issues (such as ancillary services) may not be addressed in detail sufficient to allow parties to comment constructively. Nonetheless, Avista Energy recognizes that negotiations over the Transmission Operating Agreement are continuing, and therefore it would be premature and potentially disruptive to those discussions for Avista Energy to provide substantive comments on these issues at this time. Moreover, Avista Energy is hopeful that many of its issues will be addressed in a satisfactory manner in the re-filed Transmission Operating Agreement. For these reasons, Avista Energy hereby provides notice that it

will file substantive comments on the Transmission Operating Agreement, if necessary, once a revised version of that document is filed with the Commission.¹

V. Conclusion

Wherefore, Avista Energy respectfully requests that the Commission grant its intervention in the above-captioned dockets, with all rights associated therewith, and allow Avista Energy to comment on the Transmission Operating Agreement after the Filing Utilities have revised that agreement, or have indicated that a revised draft will not be forthcoming.

Respectfully Submitted,



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Counsel for Avista Energy, Inc.

¹ In the event that a revised Transmission Operating Agreement is not filed with the Commission, Avista Energy respectfully requests that the Commission notice that fact, and allow interested parties to provide comment on the October 23, 2000 Transmission Operating Agreement 30 days after any such notice is given.

CERTIFICATE OF SERVICE

Pursuant to Rule 2010 of the Commission's Rules of Practice and Procedure, I hereby certify that I have this day served a copy of the foregoing document upon all persons designated on the official service list compiled by the Secretary in this proceeding.

Dated at Washington, D.C., this 20th day of November 2000.


Gary D. Bachman