

**BEFORE THE WASHINGTON STATE UTILITIES AND TRANSPORTATION
COMMISSION**

The PUBLIC COUNSEL Section of the
Office of the Washington Attorney
General

Complainant,

v.

CASCADE NATURAL GAS
CORPORATION; PACIFICORP dba
PACIFIC POWER & LIGHT COMPANY

Respondents.

DOCKET NO. U-030744

PUBLIC COUNSEL MOTION TO
WITHDRAW COMPLAINT AND
FOR ORDER OF DISMISSAL

(Yakama Nation Franchise Ordinance)

Pursuant to WAC 480-07-375 and 480-07-380(3)(b), and the Commission's Notice of Prehearing Conference dated October 24, 2005, Public Counsel hereby gives notice of the voluntary dismissal of its complaint filed in this matter on May 22, 2003. In light of the decision of the Washington State Supreme Court on August 11, 2005 in *Elaine Willman et al. v. Washington Utilities and Transportation Commission, Cascade Natural Gas Corporation, and Pacificorp*, Supreme Court No. 75821-2, on overlapping issues, the dismissal is in the public interest.

Accordingly, Public Counsel respectfully moves for an order permitting withdrawal and dismissing said complaint.

DATED this 27th day of October, 2005.

ROB MCKENNA
Attorney General

Simon J. ffitc
Assistant Attorney General
Public Counsel Section
WSBA No. 25977