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

The Public Counsel Section of the Office of the
Washington Attorney General,

Complainant,

vs.

Cascade Natural Gas Corp. and PacifiCorp,
d/b/a Pacific Power & Light Co.,

Respondents.

Docket No. U-030744

Petition for Intervention of Elaine
Willman, et al.

Petitioners Willman and others named on Ex. 1 hereto request leave to
intervene in this proceeding pursuant to WAC 480-09-430.

1. Petitioners' name and addresses:

Elaine Willman
P.O. Box 1280
Toppenish WA 98948

and others, listed on Ex. 1.

2. Petitioners' Attorney:

Eric Richter, of Henke and Richter
221 1st Ave. W # 215
Seattle WA 98199

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STATE OF WASH.
UTIL. AND TRANSP.
COMMISSION

Henke & Richter
221 First Avenue West, Suite 215
Seattle, Washington 98119
(206) 282-2911

1 3. Petitioners' interest in the proceeding:

2 Petitioners are customers of one or both of the respondent utilities, as indicated
3 on Ex. 1, who receive their utility service within the Yakima Indian Reservation and are
4 directly affected by the respondents' collection of the municipal tax addition and the
5 Yakama Nation franchise fee, pertaining to which the Public Counsel Section's complaint
6 herein seeks declaratory and injunctive relief.

7 4. Petitioners have not participated in UTC cases within the last two years.
8 Petitioner Willman has petitioned for review of a UTC decision pertaining to the
9 defendant utilities' imposition of the municipal tax additions to the fees collected by
10 respondents from ratepayers within the Yakima Indian Reservation, now pending in
11 Yakima County Superior Court as Cause No. 03-2-00086-7. Petitioners Jaqueline Allen,
12 Gary Hackner, Chris Klebaum, James Mesecher and Robert Thomas participate indirectly
13 in the above mentioned action as members of the Citizens Standup! Committee.

14 5. Petitioners' position in regard to matters in controversy:

15 a. Petitioners support the positions stated by, and as their principal claim
16 adopt the request for relief stated in Part XI, paragraphs 1 - 7, of the complaint herein
17 filed by the Public Counsel Section of the Office of the Washington Attorney General.

18 b. In the event the Commission concludes that respondents' payment of the
19 fee demanded by the Yakama Nation Franchise Ordinance is prudent and denies the relief
20 specifically requested by the Public Counsel Section in paragraphs 1 - 6 of Part XI,
21 Petitioners request the Commission to rule on the further issue mentioned in Paragraph
22 4 of the Public Counsel Section's complaint herein and comprehended within the prayer
23 for other and further relief of paragraph 7 of Part XI: whether the respondent utilities'
24 payment of the fee demanded by the Yakama Nation's Franchise Ordinance should be
25 included in general rates borne by all ratepayers of respondent utilities, as a franchise
26 fee, rather than passed through solely to ratepayers within the Yakima Indian
27 Reservation, as a local tax.

28

1 c. Petitioners' contend, as their alternative claim for relief, if the Commission
2 rejects the Public Counsel's claims that the respondents were imprudent in paying the
3 Yakama Nation's franchise fee and in failing to challenge the legality of the Nation's
4 Franchise Ordinance, that respondents' recovery of the Nation's fee solely from
5 reservation ratepayers as a local tax, rather than as a fee to be borne by all ratepayers,
6 is unjust, unreasonable and unlawful. Upon this alternative claim for relief, petitioners
7 request the Commission to order respondents:

8 (i) to seek reimbursement of the Nation's fee solely through their general
9 rates borne by all of their ratepayers, as a franchise fee, and

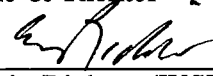
10 (ii) to order respondents to refund the municipal tax additions collected by
11 respondents from ratepayers within the Yakima Indian Reservation.

12 6. Petitioners intend to participate fully as parties in this litigation.

13 7. Request for Relief:

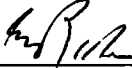
14 Petitioners request the Commission to grant them leave to intervene in this
15 proceeding in support of the claims described in paragraph 4, above, pursuant to WAC
16 480-09-430.

17 Respectfully submitted this 9 day of July, 2003.

18 Henke & Richter
19 by: 
20 Eric Richter (WSBA 6978)
21 Attorneys for Petitioners
22 Willman et al.

21 STATE OF WASHINGTON)
22) ss.
23 COUNTY OF KING)

24 I, Eric Richter, affirm that this petition is true and complete to the best of my
25 knowledge and belief.

26 by: 
27 Eric Richter (WSBA 6978)
28 Attorney for Petitioner

Ratepayer Intervenor

EXHIBIT # 1

Customers of PacificCorp(PP&L) and Cascade Natural Gas Corporation (CNGC)

| PP&L | CNGC | CUSTOMER NAME | ADDRESS | CITY | ZIP |
|------|------|----------------------------|-----------------------|-----------|-------|
| X | X | Allen, Gerald & Jacqueline | 1408 Bonnie Lane | Toppenish | 98948 |
| X | X | Bouchey, Delmar | 1404 Bonnie Lane | Toppenish | 98948 |
| X | X | Brost, Barbara & Earl | 212 So. Toppenish Ave | Toppenish | 98948 |
| X | X | Brownlee, Guy | P.O. Box 1429 | Zillah | 98953 |
| X | X | Delgado, Francisco | 614 Jefferson | Toppenish | 98948 |
| X | X | Evans, Dennis | 302 Robart Lane | Toppenish | 98948 |
| X | X | Foster, Edith | 104 Franklin | Toppenish | 98948 |
| X | X | Gerred, Jim & Peggy | 702 W. 5th Street | Wapato | 98951 |
| X | X | Gibbons, Everett & Dolly | 1016 Jefferson | Toppenish | 98948 |
| X | X | Gonzalez, Leticia C. | 1101 Adams | Toppenish | 98948 |
| X | X | Harris, William & Harriett | 801 Madison | Toppenish | 94948 |
| X | X | Hennebry, Elizabeth C. | 106 Robart Lane | Toppenish | 98948 |
| X | X | Hubert, Al and Lavonda | 103 S. Date | Toppenish | 98948 |
| X | X | Justis, Louise M. | 1112 Adams | Toppenish | 98948 |
| X | X | Kitting, Don and June | 801 Adams | Toppenish | 98948 |
| X | X | Levell, James | 120 Skone Way | Wapato | 98951 |
| X | X | Lindsay, Ernie | 202 Penny Lane | Toppenish | 98948 |
| X | X | Meyers, Russell & Joyce | 114 South Date | Toppenish | 98948 |
| X | X | Morfin, Maria | 101 Youngstown Road | Toppenish | 98948 |
| X | X | Morse, Fred & Joyce | 205 Berger Lane | Toppenish | 98948 |
| X | X | Myers, Allen L. | 42500 Hwy 97 | Toppenish | 98948 |
| X | X | Ortiz, Raymond & Lupe | 1015 Adams | Toppenish | 98948 |
| X | X | Reyes, Mary | 1017 Adams | Toppenish | 98948 |
| X | X | Thorington, Blaine R. | 510 Lillie Lane | Toppenish | 98948 |
| X | X | Veals, Charles H. | 110 So. Elm | Toppenish | 98948 |
| X | X | Walker, Joe | 209 S. Gardenia | Toppenish | 98948 |
| X | X | Willman, Elaine D. | 16 So. Toppenish Ave. | Toppenish | 98948 |
| X | | Beschart, Gary | Spur Tavern | Harrah | 98933 |
| X | | Clark, F. Delt | 661 Orchard Way | Wapato | 98951 |
| X | | Cullier, Don and Arlene | 281 Lateral C Road | Wapato | 98951 |
| X | | Fulton, Elizabeth P. | 1030 Shields Road | Wapato | 98951 |
| X | | Gray, Boyd | 526 Lillie Lane | Toppenish | 98948 |
| X | | Green, Jack | 1030 Sheilds Raod | Wapato | 98951 |
| X | | Green, Jacque | 1030 Shields Road | Wapato | 98951 |
| X | | Hackner, Gary | 880 Stevens Raod | Toppenish | 98948 |
| X | | Hert, Jody | 5660 Progressive Road | Wapato | 98951 |
| X | | Humann, Heinz | 5361 Ashue Raod | Wapato | 98951 |
| X | | Klebaum, Chris | 3900 Wapato Road | Wapato | 98951 |
| X | | Knapp, Richard F. | 503 Linden (P.O 350) | Toppenish | 98948 |
| X | | Loza, Leon | 350 Brown Road | Wapato | 98951 |
| X | | Mesecher, James | 604 Madison | Toppenish | 98948 |
| X | | Pence, Bert & Sharon | 760 Lateral A Road | Wapato | 98951 |
| X | | Pence, Tom & Stella | 750 Lateral A Road | Wapato | 98951 |
| X | | Renfro, Sarah | 1613 Chambers Road | Toppenish | 98948 |
| X | | Thomas, Robert & Dollores | 1018 Adams Ave. | Toppenish | 98948 |
| X | | Wittum, Bill | 904 Monroe | Toppenish | 98948 |