

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

TREE TOP, INC., a Washington Corporation,

Complainant

v.

CASCADE NATURAL GAS CORPORATION, a Washington Corporation,

Respondent.

DOCKET UG-210745

DECLARATION OF JOCELYN PEASE

I, Jocelyn Pease, declare under penalty of perjury under the laws of the state of Oregon:

1 I am an attorney licensed in the State of Washington, WSBA No. 50266.

2 I am a shareholder at the law firm of McDowell Rackner Gibson PC.

3 I am counsel of record for Cascade Natural Gas Corporation (“Cascade” or  
“Company”) in the above-captioned matter.

4 On or about November 11, 2021, I engaged in a phone conversation with Tree Top, Inc.’s (“Tree Top”) counsel Chad Stokes regarding Cascade’s belief that Tree Top had not filed its Complaint prior to the running of the applicable statute of limitations. During this conversation, Mr. Stokes expressed his view that Tree Top had timely filed its Complaint because claims for reparations under RCW 80.04.220 do not accrue until the “unjust” charge is paid. Mr. Stokes said that this position is supported by a Washington Supreme Court case,


“*Northern Pacific Railway*, 122 Wash. 673.”<sup>1</sup>

5           On November 22, 2021, I emailed Tree Top’s counsel Mr. Stokes and asked if Tree Top would stipulate to the date on which Tree Top received Cascade’s invoices for February 2021 overrun entitlement penalties.

6           On November 22, 2021, Mr. Stokes replied and stated that Tree Top would stipulate that it received the entitlement invoices on March 22, 2021. A true and correct copy of Mr. Stokes’ response is included as Attachment 1 to this Affidavit.

I hereby declare that the above statement is true to the best of my knowledge and belief, and that I understand it is made for use as evidence in this proceeding and is subject to penalty for perjury.

Dated this 17th day of December 2021, at Portland, Oregon.

Signed:   
Jocelyn Pease

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<sup>1</sup> On information and belief, Cascade determined that the full case citation is *Northern P.R. Co. v. Department of Public Works*, 122 Wash. 673 (1923).