

BEFORE THE STATE OF WASHINGTON

ENERGY FACILITY SITE EVALUATION COUNCIL

In the matter of:)
 Application No. 2004-01)
)
 WIND RIDGE POWER PARTNERS, LLC,) Prehearing Conference
)
 WILD HORSE WIND POWER PROJECT) Pages 1 - 10
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A prehearing conference in the above matter was held in the presence of a court reporter on February 22, 2005, at 3:02 p.m., at 925 Plum Street, Room 308, in Olympia, Washington, before Energy Facility Site Evaluation Councilmembers.

* * * * *

The parties were present as follows:

WIND RIDGE POWER PARTNERS, LLC, Darrel Peeples,
 Attorney at Law, 325 Washington Street N.E., Suite 440,
 Olympia, Washington 98501.

COUNSEL FOR THE ENVIRONMENT, John Lane, Assistant
 Attorney General, 1125 Washington Street S.E., P.O. Box
 40100, Olympia, Washington 98504-0100.

KITTITAS COUNTY, James E. Hurson, Kittitas County
 Prosecutor, Kittitas County Courthouse, Room 213,
 Ellensburg, Washington 98926.

FRIENDS OF WILDLIFE AND WIND POWER, David A.
 Bricklin, Attorney at Law, Bricklin Newman Dold, LLP,
 1424 Fourth Avenue, Suite 1015, Seattle, Washington.

Reported by:

Shaun Linse, CCR #2029

1 Appearances (cont'd):
 2 F. STEVEN LATHROP, Jeff Slothower, Attorney at
 3 Law, Lathrop, Winbauer, Harel, Slothower & Denison, LLP,
 4 1527 Robinson Canyon Road, P.O. Box 1088, Ellensburg,
 5 Washington 98926.
 6 ECONOMIC DEVELOPMENT GROUP OF KITITITAS COUNTY,
 7 Debbie Strand, Executive Director, 1000 Prospect Street,
 8 P.O. Box 598, Ellensburg, Washington 98926.
 9 * * * * *
 10 JUDGE TOREM: Let's call this prehearing
 11 conference to order. It's two minutes after three o'clock
 12 on Tuesday, February 22, 2005. This is in the matter of
 13 the Wild Horse Wind Power Project. This is our status
 14 conference to determine whether or not we will be going
 15 forward the week of March 7, and I understand from
 16 previous emails that this status conference as we speak is
 17 simply to reschedule the status conference to Thursday.
 18 With that in mind though, let's see who's
 19 here. This is Judge Torem, and I know, Chair Luce, are
 20 you there?
 21 CHAIR LUCE: Present.
 22 JUDGE TOREM: And Chris Smith Towne?
 23 MS. TOWNE: Here.
 24 JUDGE TOREM: Patti Johnson?
 25 MS. JOHNSON: Here.

1 JUDGE TOREM: Hedia Adelsman?
 2 MS. ADELSMAN: Here.
 3 JUDGE TOREM: Tim Sweeney?
 4 MR. SWEENEY: Hello?
 5 JUDGE TOREM: Mr. Sweeney, are you there?
 6 MR. SWEENEY: Yes, I'm here with the
 7 Utilities and Transportation Commission.
 8 JUDGE TOREM: Very good. Mr. Fryhling, are
 9 you here yet? Not yet but pending.
 10 Tony Ifie?
 11 MR. IFIE: Here.
 12 JUDGE TOREM: Who else did I leave out,
 13 Councilmembers? Anybody?
 14 All right. With that mind, Mr. Peeples, are
 15 you here for the Applicant still?
 16 MR. PEEPLES: Yes, I am.
 17 JUDGE TOREM: Mr. Hurson, for the County?
 18 MR. HURSON: Yes, I'm here.
 19 JUDGE TOREM: Mr. Slothower, on behalf of
 20 Mr. Lathrop?
 21 MR. SLOTHOWER: Yes, I'm here.
 22 JUDGE TOREM: Mr. Bricklin?
 23 MR. BRICKLIN: Yes.
 24 JUDGE TOREM: And Economic Development
 25 Group?

1 MS. STRAND: Yes, Debbie Strand.
 2 JUDGE TOREM: Thank you, Ms. Strand.
 3 Mr. Lane, are you here as well for Counsel
 4 for the Environment?
 5 MR. LANE: Yes.
 6 JUDGE TOREM: Any other members or parties
 7 on the phone that I've left out inadvertently?
 8 Hearing none, I think we have the full
 9 Council other than Mr. Fryhling, and we will hear his beep
 10 if he chimes in.
 11 As I stated, the order of business today is
 12 to find out when we can get together again.
 13 Maybe, Mr. Hurson, you could brief the
 14 parties on the exact reason for the request to reschedule.
 15 MR. HURSON: The Board of County
 16 Commissioners met last Wednesday and closed all the public
 17 testimony and needed some time to read the record. There
 18 was a couple inches of documents submitted that night, and
 19 they didn't think they would have enough time to do it the
 20 next night. So tonight is the first date that they were
 21 able to meet with the three-day weekend. So they're going
 22 to be meeting tonight. I'm not sure what direction
 23 they're going to give us tonight, but we will see. I'm
 24 going to try to see if hopefully if they need to roll it
 25 in to roll it into tomorrow night, if they have questions

1 or want things sorted out or things like that. I think
 2 tentatively Irina was talking about seeing if we could do
 3 this on Thursday which would work with me. I know the
 4 commissioners won't be meeting Thursday night because they
 5 have another public hearing on a different matter that
 6 night, so they're already booked. So hopefully by
 7 Thursday I'll be able to give you better information.
 8 JUDGE TOREM: Mr. Peeples, does that sound
 9 correct from your perspective?
 10 MR. PEEPLES: Yes, I would appreciate it if
 11 we could have it in the morning though. Both my client
 12 and myself have other meetings in the afternoon. So if we
 13 could hold it in the morning, I would appreciate that.
 14 MR. HURSON: Morning works for me. I'm Jim
 15 Hurson.
 16 JUDGE TOREM: Mr. Bricklin?
 17 MR. BRICKLIN: On Thursday I have a
 18 telephone conference call with a federal judge at 10:00
 19 a.m. It will probably only go for 20 minutes at the most.
 20 JUDGE TOREM: Would it be preferable to do
 21 this perhaps earlier?
 22 MR. BRICKLIN: Either side is fine by me.
 23 JUDGE TOREM: Mr. Slothower, what's your
 24 schedule?
 25 MR. SLOTHOWER: Earlier is better for me. I

Page 6

1 have a meeting that starts at 10:00 that will last about a
2 half-hour or 45 minutes.
3 JUDGE TOREM: Okay. Ms. Strand?
4 MS. STRAND: Yes, I'm available in the
5 morning, and I, again, too prefer earlier.
6 JUDGE TOREM: It sounds like 9:00 a.m. is
7 looking like the probable spot.
8 Mr. Lane?
9 MR. LANE: I've got a nine o'clock.
10 JUDGE TOREM: How long is your nine o'clock
11 going to run?
12 MR. LANE: I don't know. Half-hour maybe.
13 JUDGE TOREM: On this particular issue is
14 there a chance to have an alternate? Since it's really
15 just that we're going to get a briefing as to whether or
16 not there's going to be a motion to continue the hearing
17 or not is there another AG that could stand in for you?
18 MR. LANE: Yes.
19 JUDGE TOREM: Since there's no other time
20 that's going to be suggested.
21 CHAIR LUCE: Judge Torem?
22 JUDGE TOREM: Yes.
23 CHAIR LUCE: I have a 9:00 a.m. with Senator
24 Poulson, and I would guess that Mr. Ifie would be acting
25 Chair in my absence.

Page 7

1 JUDGE TOREM: All right. Thank you,
2 Mr. Luce.
3 Other Councilmembers, does nine o'clock on
4 Thursday work or not work?
5 MS. TOWNE: It works for me.
6 JUDGE TOREM: Ms. Towne, it works for you,
7 right?
8 MS. TOWNE: Yes.
9 JUDGE TOREM: Ms. Adelman?
10 MS. ADELSMAN: Yes, it works for me. I'm
11 going to check in a second, but I know it does.
12 Tony Ifie?
13 MR. IFIE: It works for me.
14 JUDGE TOREM: Tim Sweeney?
15 MR. SWEENEY: Could you repeat the date.
16 JUDGE TOREM: Thursday. It would be the
17 24th.
18 MR. SWEENEY: 24th. I am good for that.
19 JUDGE TOREM: Patti?
20 MS. JOHNSON: That will work for me.
21 JUDGE TOREM: Dick Fryhling, are you on with
22 us yet?
23 It may be that we filled the conference
24 call, and Dick couldn't get in. So I'm going to presume
25 that we've got five guesses we can be there. We will have

Page 8

1 a quorum, but I would like to have the full Council there
2 other than what Mr. Luce is off doing official business
3 here with the Senator. We'll update him later what
4 happens.
5 Does anybody have an objection reconvening
6 Thursday morning at 9:00?
7 Hearing none, Irina, is there any other
8 business we need to take up today?
9 MS. MAKAROW: No, I'll just email everybody
10 the bridge line to use. It will probably be the (360)
11 956-2226, but I do have to schedule that, and I'll confirm
12 it by email.
13 MS. ADELSMAN: And there would be no limit
14 on this one; is that right?
15 MS. MAKAROW: No, there's enough room for
16 everybody on this bridge line.
17 MS. ADELSMAN: Okay.
18 JUDGE TOREM: So I'm not sure where
19 Mr. Fryhling is, but we will hear from him shortly and let
20 him know, and hopefully he'll be able to join us on
21 Thursday at 9:00.
22 Any questions from any of the parties?
23 Going once, going twice?
24 All right. Then this prehearing conference
25 is adjourned. It will be reconvened on Thursday morning,

Page 9

1 the 24th of February, at 9:00 a.m. Thank you all for your
2 attention today and for fitting us in for this brief
3 conference. We're adjourned. Good-bye.
4 * * * * *
5 (Prehearing conference adjourned at 3:08
6 p.m.)
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AFFIDAVIT

I, Shaun Linse, CCR, Certified Court Reporter,
do hereby certify that the foregoing transcript
prepared under my direction is a true and accurate
record of the proceedings taken on February 22, 2005,
in Olympia, Washington.

Shaun Linse, CCR
CCR NO. 2029