

1 BEFORE THE STATE OF WASHINGTON
2 ENERGY FACILITY SITE EVALUATION COUNCIL

3 In the Matter of
4 Application No. 2013-01

CASE NO. 15-001

5 TESORO SAVAGE, LLC
6 VANCOUVER ENERGY
7 DISTRIBUTION TERMINAL

8 STIPULATION ON PREHEARING
9 PROCEDURES AND JOINT MOTION
10 TO AMEND PREHEARING ORDER

11 Tesoro Savage Petroleum Terminal LLC (“Applicant”) and the Statutory Parties
12 and Intervenors (referred to collectively as the “Parties” and individually as “Party”) by
13 and through their undersigned counsel, submit this Stipulated Motion to Amend the
14 Prehearing Order. In addition to this stipulation, the parties agree to further discuss ways
15 to make the informal discovery process proceed as efficiently as possible and may submit
16 further stipulations to that effect.

17 1. The Parties request that the Administrative Law Judge amend the section of
18 the Prehearing Order pertaining to Pre-filed Testimony as follows:

19 Pre-filed direct testimony of expert and fact witnesses is ~~encouraged~~
20 required.

21 The pre-filing of direct testimony does not preclude any Party from seeking to present
22 rebuttal testimony from fact or expert witnesses, subject to any limitations or permissions
23 required by the Prehearing Order issued by the ALJ.

24 2. The Parties request that the Administrative Law Judge amend the section of
25 the Prehearing Order pertaining to deadlines for dispositive motion as follows:

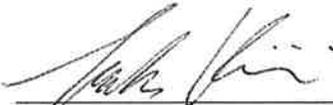
Absent showing of good cause Dispositive motions must be filed at least
26 **60 days** prior to the commencement of the adjudication hearing.
27 Responses to dispositive motions must be filed within **30 days** of the filing
28 of the dispositive motion, and any replies must be filed within **7 days** of
29 the filing of the response.

JOINT DISCOVERY AGREEMENT - 1

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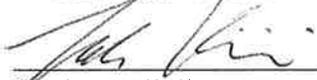
Dated this 15th day of May, 2015.

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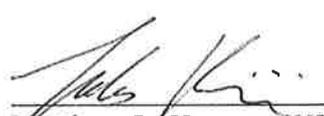
Cager Clabaugh
Jared Smith

SCHWABE, WILLIAMSON & WYATT, P.C.



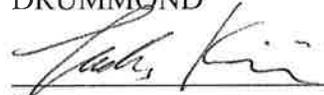
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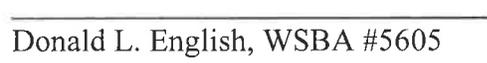
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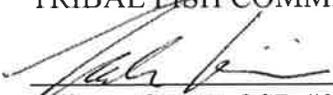
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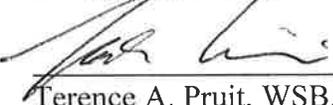
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Spokane Riverkeeper, and Washington
Environmental Council*

* *Per e-mail authorization*

JOINT DISCOVERY AGREEMENT - 3

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CERTIFICATE OF SERVICE

I, Amanda Kleiss, declare as follows:

That I am over the age of 18 years, not a party to this action, and competent to be a witness herein;

That I, as a legal assistant in the office of Van Ness Feldman, caused true and correct copies of the following documents to be delivered as set forth below:

- 1. Joint Discovery Agreement;
- 2. Certificate of Service;

and that on May 15th, 2015, I addressed said documents and deposited them for delivery as follows:

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CERTIFICATE OF SERVICE - 6

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I hereby certify that I have this day served the foregoing document upon all parties of record in this proceeding, by authorized method of service pursuant to WAC 463-30-120(3).

EXECUTED at Seattle, Washington on this 15th day of May, 2015.



Amanda Kleiss, Declarant