



STATE OF WASHINGTON  
ENERGY FACILITY SITE EVALUATION COUNCIL  
PO Box 43172 • Olympia, Washington 98504-3172

June 12, 2015

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Subject: Vancouver Energy Distribution Terminal – Adjudication No. 15-001

Dear Parties:

I have received Mr. Derr's June 2, 2015 letter with an explanation of the parties' reasons for requesting modification of the Order Amending Pre-Hearing Order Establishing Procedures as it relates to the filing of dispositive motions. First, it is unnecessary to send me letters explaining the parties' pleadings. And since they are not normally part of the adjudication record, it is not the best practice. Neither do I intend to discuss decisions with the parties informally after they are made. But, in this instance, I respond to Mr. Derr's letter because general clarification of the EFSEC pre-hearing process in this adjudication may be helpful.

With regard to the disclosure of issues, I expect the parties to conduct discovery. The purpose of the preliminary list of issues is to inform the Council and the other parties of what likely will be at issue in the adjudication so that discovery can proceed and pre-hearing matters addressed. I expect informal discovery responses to be complete and thorough. If the parties do not feel this is happening, a motion for formal discovery can be filed. I hope this will not be necessary.

I expect the parties' full cooperation with each other and no attempts to mount last minute surprise issues. The primary purpose of the final lists is to structure the adjudication and inform the Council in order to give context to their consideration of the evidence and the motions, pre-filed testimony, stipulations, admitted exhibits, and hearing briefs that will be presented to the Council in the month before the hearing.

Sincerely,

A handwritten signature in blue ink, appearing to read "Cassandra Noble". The signature is fluid and cursive, with a long horizontal stroke at the end.

Cassandra Noble  
Administrative Law Judge