

CERTIFICATE OF SERVICE

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(2)(a). Dated at Yakima, Washington, this 13th day of June, 2003.

SIGNED

**The State of Washington
ENERGY FACILITY SITE EVALUATION COUNCIL**

In the Matter of:)	RESIDENTS OPPOSED TO KITTITAS TURBINES' PETITION FOR INTERVENTION
)	
EFSEC Application No. 2003-01)	
)	
Sagebrush Power Partners, LLC)	
)	
Kittitas Valley Wind Power Project)	
)	
)	
)	

Pursuant to WAC 463-30-400, Residents Opposed to Kittitas Turbines (“ROKT”) requests intervenor status in the proceeding identified above. ROKT provides the following information in support of its Petition for Intervention.

I.

PETITIONERS

1.1 **IDENTIFICATION OF PETITIONER.** ROKT is a broad-based nonprofit association of Kittitas County citizens who have been and will be adversely affected by the location of a substantial wind power project in Kittitas County. ROKT’s name, address and telephone number are as follows:

Residents Opposed to Kittitas Turbines
P.O. Box 1680
Ellensburg, WA 98926
Phone: 425/868-5959

1.2 **MEMBERS OF ROKT**. Members of ROKT are owners of real property in Kittitas County adjacent to real property on which the applicant in this proceeding intends to construct commercial wind power generation facilities. The members of ROKT include the following specific individuals:

Mike Robertson
4101 Bettas Rd.
Cle Elum, WA 98922
Phone: 509/857-2113

Hal and Gloria Lindstrom
1831 Hanson Rd.
Ellensburg, WA 98926
Phone: 509/925-1807

Steve and Amy Oslund
31802 NE 139th Street
Duvall, WA 98019
Phone: 425/788-3520

Geoff Saunders
22807 NE 23rd Street
Sammamish, WA 98074
Phone: 425/868-5959

Ed Garrett and Rosemary Monaghan
19205 67th Avenue SE
Snohomish, WA 98296
Phone: 425/483-9770

II.

PETITIONER'S ATTORNEY

Petitioner is represented in these proceedings by:

James C. Carmody
of Velikanje, Moore & Shore, P.S.
405 East Lincoln Avenue
P.O. Box 22550
Yakima, WA 98907

Phone: 509/248-6030
Fax: 509/453-6880

III.

STATEMENT OF ROKT'S INTEREST IN THIS PROCEEDING

3.1 **ROKT's PARTICIPATION BEFORE KITTITAS COUNTY.** Prior to its application to EFSEC, Sagebrush Power Partners, LLC ("Sagebrush"), and/or its parent company, Zilkha Renewable Energy, LLC ("Zilkha") (collectively "Applicants"), attempted to change to Kittitas County law in order to gain approval and site this project by reference to local law. ROKT actively participated in all hearings and processes provided by Kittitas County with respect to Applicants' efforts in this regard from the time that it and its members became aware of Applicants' efforts in this regard until the time that Sagebrush's application was filed with EFSEC. ROKT and its members also provided written and oral comment to Kittitas County in the proceedings before that entity through their representation.

ROKT has continued to participate in Kittitas County hearings and processes provided with respect to the efforts of another wind power firm, enXco, to locate its own commercial wind power generation facilities in and around the area that is the subject of Sagebrush's application. ROKT seeks to intervene here to protect the interests of its landowner members in EFSEC's action on Sagebrush's application, both by reference to the merits of that application and in light of enXco's pending application for a similar wind power project in the same general location.

3.2 **ROKT's INTEREST IN THIS PROCEEDING.** As set forth above, ROKT and its individual members have a direct and substantial interest in the subject matter of this proceeding. The interests of ROKT and its individual

members will not be adequately represented or protected by the existing parties to this proceeding, and ROKT's ability to protect its interests and the interests of its members in this proceeding will be impaired or impeded without intervention.

3.3 **ROKT's PROPOSED CONTRIBUTION TO THIS PROCEEDING.**

Given its longstanding and continued participation in proceedings relating to commercial wind power generation in Kittitas County, ROKT will provide an informed and unique perspective on Sagebrush's application. The presentation of ROKT's perspective in this proceeding will assist the Council in determining whether Kittitas County is a permissible location for this project under criteria set forth in RCW Chapter 80.50 and WAC Title 463. ROKT's involvement as a party in these proceedings will also advance the public's interest in the proper location of facilities that will stand on the Kittitas County landscape for decades.

IV.

NATURE OF PARTICIPATION REQUESTED

4.1 **ROKT REQUESTS FULL PARTICIPATION.** ROKT, on its behalf and on behalf of its individual members, requests to be heard in these proceedings and to be afforded the right to participate in the same to the full extent authorized by Council rules. ROKT's request includes, but is not limited to, the right to have notice of and appear at any and all hearings or proceedings, to produce evidence and cross-examine witnesses, to be heard through counsel by written and oral argument, to be served as a party with copies of all pleadings and other materials filed with the Council, and to participate in any other way as may be appropriate.

4.2 **NO PREJUDICE OR DISRUPTION FROM ROKT's PARTICIPATION.**

ROKT's participation in these proceedings will not prejudice any party to these proceedings. Further, ROKT's participation will unduly delay these proceedings nor disrupt the Council's ability to conduct these proceedings in an orderly fashion.

V.

VERIFICATION

Pursuant to WAC 463030-400, the undersigned representative of ROKT has read the foregoing Petition for Review and verifies the contents of the same.

DATED this ____ day of JUNE, 2003.

VELIKANJE, MOORE & SHORE, P.S.
Attorneys for Petitioner

By: _____
James C. Carmody (WSBA #5205)

