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7 **BEFORE THE STATE OF WASHINGTON**
8 **ENERGY FACILITY SITE EVALUATION COUNCIL**

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10 In the Matter of
Application No. 2003-01

11 SAGEBRUSH POWER PARTNERS, LLC,
12 KITTITAS VALLEY WIND POWER
13 PROJECT

MOTION TO DISQUALIFY
ENERGY FACILITY SITE
EVALUATION COUNCIL
MEMBERS; MOTION TO
CLARIFY ISSUES; MOTION
FOR RECONSIDERATION OR
ALTERNATIVELY OBJECTION
TO LIMITATION OF ISSUES

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17 COMES NOW Intervenor, F. Steven Lathrop, by and through his attorney, JEFF
18 SLOTHOWER of Lathrop, Winbauer, Harrel, Slothower & Denison L.L.P., and moves the
19 Energy Site Evaluation Council for the following relief:

20 1. For an Order disqualifying Energy Site Evaluation Council Member, Tony
21 Ifie, and the Washington State Department of Natural Resources from participation in this
request; and

22 2. For an Order disqualifying Energy Site Evaluation Council Member, Dick
23 Fryhling, and the Department of Community Trade and Economic Development from
participation in this request; and

24 3. For clarification of the ability of Intervenors to respond to materials and/or
25 issues presented by other parties and specifically for an Order allowing Intervenors to respond to

1 issues and/or evidence presented by other parties which are outside the “scope” of the issue the
2 Intervenor has intervened on.

3 4. For the Council to reconsider its decision to limit an intervenor to the
4 issues presented by such person in the intervention petition; or, alternatively, for the Council to
5 hear the objection of Intervenor to such process.

6 This motion is based upon the declaration of counsel and the records and files herein.

7 DATED this _____ day of June, 2003.

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Jeff Slothower – WSBA #14526
Attorney for Intervenor F. Steven Lathrop

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