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BEFORE THE STATE OF WASHINGTON  
ENERGY FACILITY SITE EVALUATION COUNCIL

In the Matter of  
Application No. 2004-01  
  
WIND RIDGE POWER PARTNERS,  
L.L.C.  
  
WILD HORSE WIND POWER  
PROJECT

RESPONSE OF FRIENDS OF  
WILDLIFE AND WIND POWER TO  
LATHROP’S OBJECTION TO  
COUNCIL ORDER 805

In the last sentence of Lathrop’s Objection to Council Order 805, Lathrop states: “If Lathrop cannot intervene on issues because he has to show specific, concrete, legal interests that are different from that of the general public, then both Friends of Wildlife and Wind Power and the Economic Development Group of Kittitas County should not be allowed to intervene because their issues are not specific, concrete issues which are different form [sic] the general public.”

It is not clear from the foregoing quoted material whether Lathrop is actually objecting to the Council’s decision to grant intervenor status to Friends of Wildlife and Wind Power. If so, Lathrop’s effort in that regard should be denied. First, the request should be denied because it is not clearly stated. Second, Lathrop has not previously objected to intervention by Friends of Wildlife and Wind Power. It is untimely for Lathrop to raise the

1 issue for the first time in an objection to the Order Granting the Intervention. Third, the  
2 issue is not whether Friends has identified “specific, concrete *issues*” different from the  
3 general public but whether Friends has identified “specific, concrete *interests*” different  
4 from that of the general public. Fourth, Friends has identified specific, concrete *interests*  
5 different from that of the general public. See Friend’s Petition for Intervention at 2; Council  
6 Order No. 805 (Pre-Hearing Order No.1) at 3.  
7

8 In sum, Lathrop’s Objection should not be considered as a request to preclude  
9 Friend’s intervention but if the Objection is so construed, it should be rejected for the  
10 reasons stated above.  
11

12 Dated this 7<sup>th</sup> day of January, 2005.

13 Respectfully submitted,  
14  
15 BRICKLIN NEWMAN DOLD, LLP

16  
17 By: s/ David A. Bricklin  
18 David A. Bricklin  
19 WSBA No. 7583  
20 Attorneys for Friends of Wildlife and  
21 Wind Power

22 fowwp/response to lathrop objection  
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WIND RIDGE POWER PARTNERS,  
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WILD HORSE WIND POWER  
PROJECT

DECLARATION OF SERVICE

STATE OF WASHINGTON        )  
  )        ss.  
COUNTY OF KING            )

I, DANIEL P. DRAHEIM, under penalty of perjury under the laws of the State of Washington, declare as follows:

I am the legal assistant for Bricklin Newman Dold, LLP, attorneys for Friends of Wildlife and Wind Power herein. On the date and in the manner indicated below, I caused the Response of Friends of Wildlife and Wind Power to Lathrop’s Objection to Council Order 805 to be served on:

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26 DATED this 7<sup>th</sup> day of January, 2005, at Seattle, Washington.

27 *s/ Daniel P. Draheim*  
28 \_\_\_\_\_  
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