



Confederated Tribes and Bands  
of the Yakama Nation

Established by the  
Treaty of June 9, 1855

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July 18, 2023

Sent via Electronic Mail

Hon. Adam Torem  
ENERGY FACILITY SITE EVALUATION COUNCIL  
adamtorem@writeme.com

Re: Application No. EF210011 – Joint Requests to Strike Hearing Dates and  
Extend Pre-Hearing Brief Deadline

Dear Judge Torem,

On behalf of all Parties to the adjudication regarding Application No. EF210011, I write to respectfully request that you (1) strike the August 10 and 11 dates from the hearing schedule, and (2) extend the deadline for the pre-hearing briefs to August 9, 2023. These requests are made without waiving the Parties' individual objections and arguments already made or that may arise.

First, all Parties have conferred following the submission of pre-filed testimony and agree that a ten-day hearing is no longer necessary. Given Counsel for the Environment's unavailability August 10 and 11, 2023, we ask that you strike both dates from the hearing schedule. We believe this request will also benefit yourself and the Council by preserving valuable time and resources and allowing additional time to review pre-filed testimony.

Second, the Parties respectfully request the pre-hearing brief deadline be extended to August 9, 2023. Discovery is still ongoing, with two depositions scheduled for July 20 and 21, 2023, which is less than two weeks before the current deadline for the pre-hearing briefs. Given the timing of these depositions and the compressed timeline for the adjudication, the Parties respectfully request the deadline extension.

Lastly, the Parties have conferred and recommend that, with your permission, the adjudication hearing proceed by topic areas identified in the Prehearing Order No. 2, with the Applicant presenting their witnesses first within each topic area or sub area. This recommendation is made with the understanding that all Parties reserve the right to assert objections that may arise with respect to particular witnesses, topics, or sub topics.

Thank you for your consideration of these joint requests and recommendations. If time allows, the Parties would appreciate the opportunity to discuss the order of testimony during the July 25, 2023 Mock Hearing. Counsel for all Parties have reviewed this correspondence and authorized me to send on their behalf.

Sincerely,

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Shona Voelckers, WSBA No. 50068  
YAKAMA NATION OFFICE OF LEGAL COUNSEL