



June 4, 2024

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**VIA EMAIL**

Washington Energy Facility Site Evaluation Council  
c/o Director Sonia Bumpus  
621 Woodland Square Loop SE  
PO Box 43172  
Olympia, WA 98503-3172

**Re: Docket EF-210011 – Lack of Service of Tri-Cities C.A.R.E.S. Answer to Petition**

Dear Director Bumpus and Councilmembers:

We received timely service yesterday of the Yakama Nation’s and Benton County’s answers responding to Scout’s petition for reconsideration. We now see that a third response, from members of Tri-Cities CARES (TCC), was also received and is now posted on the Council’s website.

TCC’s letter was not served on Scout or any of its representatives, as required by WAC 463-30-335 (which requires that any answer “shall be served upon all other parties or their representatives *at the time the answer is filed*” (emphasis added)). Accordingly, the answer was not timely served, and Scout cannot confirm whether it was timely submitted to the Council.

Absent compliance with WAC 463-30-335, TCC’s response is improper. However, Scout acknowledges TCC’s participation in these proceedings and wishes to ensure all voices are heard. If the Council deems it appropriate, the letter could be considered a public comment, to the extent any such comment is currently allowed. Such treatment may be appropriate given that the letter does not appear to have been submitted or signed by TCC’s counsel, Mr. Rick Aramburu, despite that Scout is not aware that Mr. Aramburu has submitted any notice of withdrawal.

Sincerely,

A handwritten signature in blue ink, appearing to read "Timothy L. McMahan", with a horizontal line extending to the right.

Timothy L. McMahan

*Attorney for Applicant Scout Clean Energy*