

**BEFORE THE SKAGIT COUNTY HEARING EXAMINER**

<b>CHAD SAVAGE,</b>	)	
	)	<b>PL08-0488</b>
<b>Appellant,</b>	)	
	)	
<b>v.</b>	)	
	)	<b>PREHEARING ORDER</b>
<b>VERIZON WIRELESS and</b>	)	
<b>SKAGIT COUNTY,</b>	)	
	)	
<b>Respondents.</b>	)	
_____	)	

A Prehearing Conference was held at the offices of Skagit County Planning and Development Services on September 24, 2008, before Wick Dufford, Hearing Examiner.

Representing the Appellant was Stephen E. Nicol, Attorney at Law. He was accompanied by Aaron Leslie, homeowners representative. Representing Verizon Wireless was Charles E. Maduell, Attorney at Law. Representing Skagit County were Jill Olson, Deputy Prosecutor, and Marge Swint, Senior Planner.

The subject of the appeal is a proposed wireless communication tower and associated antennas and equipment in the vicinity of Lake McMurray.

Taken up at the outset was the Appellant's pending Motion for Discovery with Interrogatories and Request for Production attached. The Applicant filed a Response generally opposing the discovery requests. After discussion and argument, the Examiner determined that:

- (1) The Applicant shall not be obliged to answer Interrogatories 3, 5, 6, 7, 8 and 13.
- (2) The other Interrogatories are to be answered with the following understandings:
  - (a) Interrogatory 10 refers only to the location of additional facilities on the subject Lake McMurray tower.
  - (b) Interrogatories 11 and 12 are to be answered, but the geographic area is limited to the area of coverage need proposed to be filled by the Lake McMurray tower.
- (3) The Applicant shall provide materials in response to the Requests for Production, but again, the response to Request 1 shall be limited to the area of coverage need proposed to be filled by the Lake McMurray tower.

(4) In answering the Interrogatories, and responding the Requests for Production, the Applicant shall provide material that it has on hand and shall not be required to do new studies or generate new data.

For the hearing process, the parties agreed to the following:

(1) The hearing shall be held on Wednesday, October 22, 2008, at the Commissioner's Hearing Room, 1800 Continental Place, Mount Vernon, Washington. The day's advertised agenda shall commence at 9:00 a.m., but the appeal hearing in this matter will be the last item taken up and therefore the parties should be prepared to begin at 11:00 a.m.

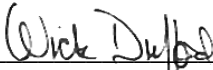
(2) The parties shall exchange lists of the witnesses they intend to present and the exhibits they intend to introduce on or before October 15, 2008.

(3) The areas of expertise of the witnesses shall be listed and the subject of their testimony shall be briefly described.

(3) The Staff shall produce its Staff Report on or before October 15, 2008.

The parties are encouraged to communicate in the interim before the hearing and to make every effort to explore possibilities for settlement.

**SO ORDERED** this \_\_\_\_\_ day of October, 2008.

  
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Wick Dufford, Hearing Examiner