



Pend Oreille County Public Utility District

Administrative Offices - P.O. Box 190 • Newport, WA 99156 • (509) 447-3137 • FAX (509) 447-5824
Box Canyon Hydro Project - P.O. Box 547 • Ione, WA 99139 • (509) 446-3137 • FAX (509) 447-6790

FOR IMMEDIATE RELEASE

December 4, 2020

Media Contact: Amber Gifford
agifford@popud.org / 509-447-9328

Washington Supreme Court Terminates Lawsuit Challenging Land Purchase and Sale Decision closes lawsuit challenging PUD authority

Newport, WA – The Washington State Supreme Court issued an order this week unanimously denying further review of the lawsuit started in 2018 by Citizens Against Newport Silicon Smelter (CANNs) and Responsible Growth * NE Washington (RgNEW) against Public Utility District No. 1 of Pend Oreille County (PUD) and others.

The Supreme Court’s order finally ends the lawsuit, after both the superior court and court of appeals affirmed the PUD’s purchase of a parcel of land just outside of the city of Newport from Pend Oreille County in order to acquire a utility easement, and the ultimate sale of that and other PUD-owned parcels to HiTest Sand, Inc. for more than the appraised value in the summer of 2017.

“The PUD is very pleased with this result and that we can finally close the book on this frivolous lawsuit,” said Tyler Whitney, General Counsel and Assistant General Manager for the PUD. “The PUD prevailed at every single step along the way. In all, four different judges reviewed this case on the merits and unanimously decided the PUD’s actions were appropriate and lawful. In addition, five supreme court justices were asked whether the case warranted further review and conclusively said ‘no.’ While in many ways this is a total victory, it is important to remember that the plaintiffs’ meritless claims were a significant drain on PUD ratepayer resources.”

About Pend Oreille County Public Utility District

Pend Oreille PUD was established in 1936 and began operations in 1948. The PUD is governed by three locally elected Commissioners. A General Manager and staff operate the utility within policies set by the Board of Commissioners. The PUD has four operating systems: The electric system distributes electricity to the county, the production system produces power from the Box Canyon Hydroelectric Project, the water system consists of nine individual water distribution subdivisions, and the community network system provides wholesale broadband communication services. For more information visit: <http://popud.org>.

#