

WAC 463-34-070 Declaratory orders—Form, content, and filing. A petition for a declaratory order may be filed pursuant to RCW 34.05.240 to determine the applicability to a specified circumstance of a statute, rule, or order enforceable by the council and shall generally adhere to the following form:

(1) At the top of the page, centered, shall appear the wording "before the energy facility site evaluation council." On the left side of the page below the foregoing the following caption shall be set out: "In the matter of the petition of (name of petitioning party) for a declaratory order." Opposite the caption shall appear the words "petition for declaratory order."

(2) The body of the petition shall be set out in numbered paragraphs:

(a) The first paragraph shall state the name and address of the petitioning party.

(b) The second paragraph shall identify all statutes, rules, orders, or other legal requirements that are at issue.

(c) Succeeding paragraphs shall set out the facts relied upon by the petitioner to make the showing required by RCW 34.05.240(1) and to support the petitioner's requested outcome.

(d) The concluding paragraph shall specify the outcome sought by the petitioner.

The petition shall be subscribed and verified in the manner prescribed for verification of complaints in the superior courts of this state.

(3) The original and two legible copies of the petition shall be filed with the council.

[Statutory Authority: RCW 80.50.040 (1) and (12). WSR 04-21-013, § 463-34-070, filed 10/11/04, effective 11/11/04. Statutory Authority: RCW 80.50.040. WSR 90-05-018, § 463-34-070, filed 2/13/90, effective 3/16/90; Order 107, § 463-34-070, filed 11/4/76.]