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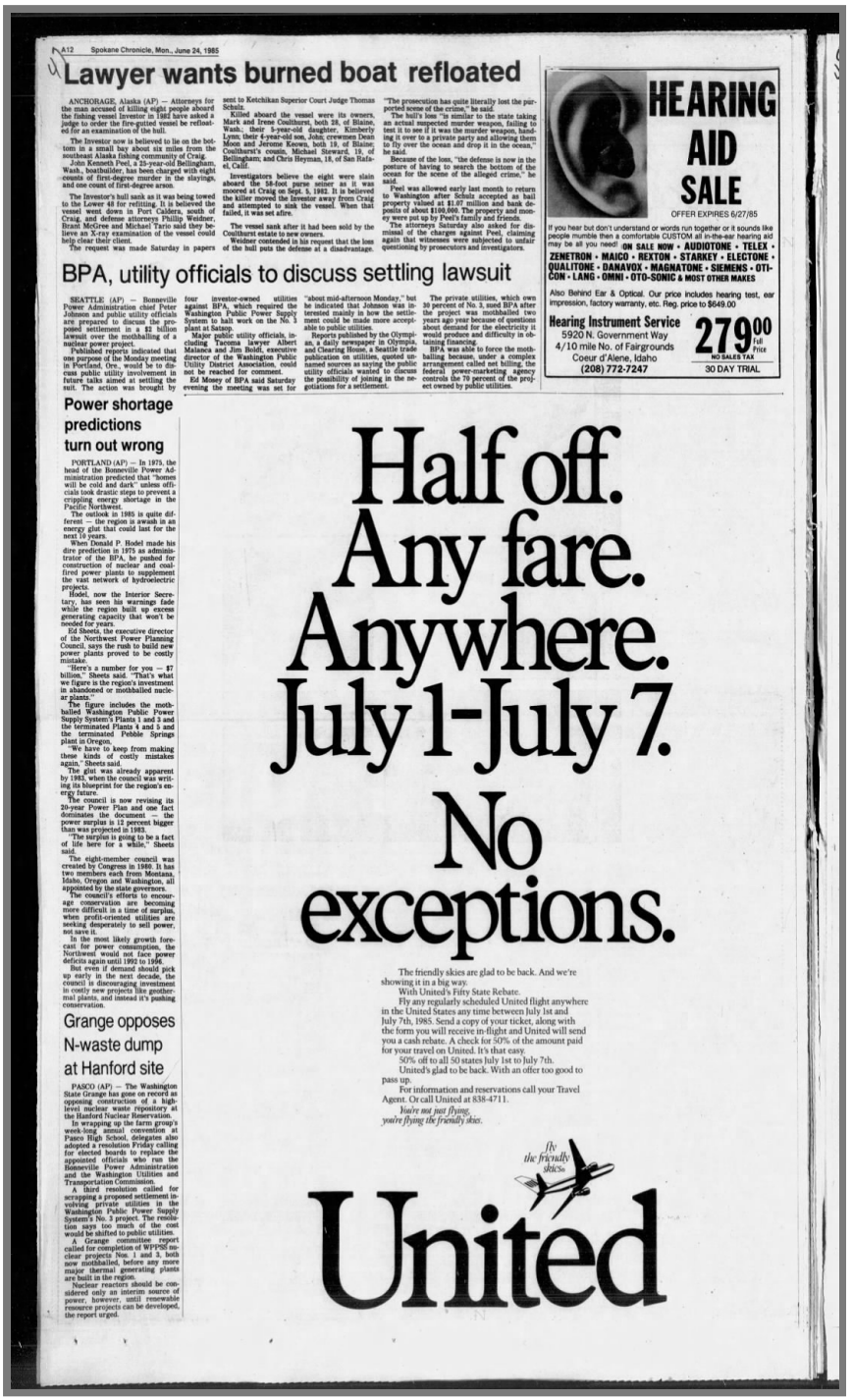

A12 Spokane Chronicle, Mon., June 24, 1985

Lawyer wants burned boat refloated

ANCHORAGE, Alaska (AP) — Attorneys for the man accused of killing eight people aboard the fishing vessel Investor in 1982 have asked a judge to order the fire-gutted vessel be refloated for an examination of the hull.

The Investor now is believed to lie on the bottom in a small bay about six miles from the southeast Alaska fishing community of Craig.

John Kenneth Peel, a 25-year-old Bellingham, Wash., boatbuilder, has been charged with eight counts of first-degree murder in the slayings, and one count of first-degree arson.

The Investor's hull sank as it was being towed to the Lower 48 for refitting. It is believed the vessel went down in Port Caldera, south of Craig, and defense attorneys Phillip Weidner, Brant McGree and Michael Tirio said they believe an X-ray examination of the vessel could help clear their client.

The request was made Saturday in papers sent to Ketchikan Superior Court Judge Thomas Schulz.

Killed aboard the vessel were its owners, Mark and Irene Coulthurst, both 28, of Blaine, Wash., their 5-year-old daughter, Kimberly Lynn, their 4-year-old son, John; crewmen Dean Moon and Jerome Keown, both 18, of Blaine; Coulthurst's cousin, Michael Steward, 19, of Bellingham; and Chris Heyman, 18, of San Rafael, Calif.

Investigators believe the eight were slain aboard the 58-foot purse seiner as it was moored at Craig on Sept. 5, 1982. It is believed the killer moved the Investor away from Craig and attempted to sink the vessel. When that failed, it was set afire.

The vessel sank after it had been sold by the Coulthurst estate to new owners.

Weidner contended in his request that the loss of the hull puts the defense at a disadvantage.

"The prosecution has quite literally lost the purported scene of the crime," he said.

The hull's loss "is similar to the state taking an actual suspected murder weapon, failing to test it to see if it was the murder weapon, handing it over to a private party and allowing them to fly over the ocean and drop it in the ocean," he said.

Because of the loss, "the defense is now in the posture of having to search the bottom of the ocean for the scene of the alleged crime," he said.

Peel was allowed early last month to return to Washington after Schulz accepted as bail property valued at $1.07 million and bank deposits of about $100,000. The property and money were put up by Peel's family and friends.

The attorneys Saturday also asked for dismissal of the charges against Peel, claiming again that witnesses were subjected to unfair questioning by prosecutors and investigators.

BPA, utility officials to discuss settling lawsuit

SEATTLE (AP) — Bonneville Power Administration chief Peter Johnson and public utility officials are prepared to discuss the proposed settlement in a $2 billion lawsuit over the mothballing of a nuclear power project.

Published reports indicated that one purpose of the Monday meeting in Portland, Ore., would be to discuss public utility involvement in future talks aimed at settling the suit. The action was brought by four investor-owned utilities against BPA, which required the Washington Public Power Supply System to halt work on the No. 3 plant at Satsop.

Major public utility officials, including Tacoma lawyer Albert Malanca and Jim Boldt, executive director of the Washington Public Utility District Association, could not be reached for comment.

Ed Money of BPA said Saturday evening the meeting was set for "about mid-afternoon Monday," but he indicated that Johnson was interested mainly in how the settlement could be made more acceptable to public utilities.

Reports published by the Olympian, a daily newspaper in Olympia, and Clearing House, a Seattle trade publication on utilities, quoted unnamed sources as saying the public utility officials wanted to discuss the possibility of joining in the negotiations for a settlement.

The private utilities, which own 30 percent of No. 3, sued BPA after the project was mothballed two years ago year because of questions about demand for the electricity it would produce and difficulty in obtaining financing.

BPA was able to force the mothballing because, under a complex arrangement called net billing, the federal power-marketing agency controls the 70 percent of the project owned by public utilities.

Power shortage predictions turn out wrong

PORTLAND (AP) — In 1975, the head of the Bonneville Power Administration predicted that "homes will be cold and dark" unless officials took drastic steps to prevent a crippling energy shortage in the Pacific Northwest.

The outlook in 1985 is quite different — the region is awash in an energy glut that could last for the next 10 years.

When Donald P. Hodel made his dire prediction in 1975 as administrator of the BPA, he pushed for construction of nuclear and coal-fired power plants to supplement the vast network of hydroelectric projects.

Hodel, now the Interior Secretary, has seen his warnings fade while the region built up excess generating capacity that won't be needed for years.

Ed Sheets, the executive director of the Northwest Power Planning Council, says the rush to build new power plants proved to be costly mistake.

"Here's a number for you — $7 billion," Sheets said. "That's what we figure is the region's investment in abandoned or mothballed nuclear plants."

The figure includes the mothballed Washington Public Power Supply System's Plants 1 and 3 and the terminated Plants 4 and 5 and the terminated Pebble Springs plant in Oregon.

"We have to keep from making these kinds of costly mistakes again," Sheets said.

The glut was already apparent by 1983, when the council was writing its blueprint for the region's energy future.

The council is now revising its 20-year Power Plan and one fact dominates the document — the power surplus is 12 percent bigger than was projected in 1983.

"The surplus is going to be a fact of life here for a while," Sheets said.

The eight-member council was created by Congress in 1980. It has two members each from Montana, Idaho, Oregon and Washington, all appointed by the state governors.

The council's efforts to encourage conservation are becoming more difficult in a time of surplus, when profit-oriented utilities are seeking desperately to sell power, not save it.

In the most likely growth forecast for power consumption, the Northwest would not face power deficits again until 1992 to 1996.

But even if demand should pick up early in the next decade, the council is discouraging investment in costly new projects like geothermal plants, and instead it's pushing conservation.

Grange opposes N-waste dump at Hanford site

PASCO (AP) — The Washington State Grange has gone on record as opposing construction of a high-level nuclear waste repository at the Hanford Nuclear Reservation.

In wrapping up the farm group's week-long annual convention at Pasco High School, delegates also adopted a resolution Friday calling for elected boards to replace the appointed officials who run the Bonneville Power Administration and the Washington Utilities and Transportation Commission.

A third resolution called for scrapping a proposed settlement involving private utilities in the Washington Public Power Supply System's No. 3 project. The resolution says too much of the cost would be shifted to public utilities.

A Grange committee report called for completion of WPPSS nuclear projects Nos. 1 and 3, both now mothballed, before any more major thermal generating plants are built in the region.

Nuclear reactors should be considered only an interim source of power, however, until renewable resource projects can be developed, the report urged.

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