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December 11, 2012

Julie Orchard
Utah Public Service Commission
Heber M. Wells Building
160 East 300 South
Salt Lake City, UT 84111

Re: Docket No. 04-035-04

Dear Ms. Orchard:

In its March 24, 2004 Scheduling Order, the Commission directed the parties to submit an agreed upon list of the contract issues to be addressed in Direct Testimony. Pursuant to the Commission's direction, the parties provide the following list of contract issues:

1. Security and Credit issues, including the amount and type of security required;
2. Default and Remedies, including what constitutes a default and the remedies available, including issues involving replacement power;
3. Delivery, Operation and Control issues, including issues regarding dispatch and scheduling;
4. Commercial Operation Date issues, including term and remedies for failure to meet the scheduled operation date;
5. Indemnification, Liability and Insurance issues, including the appropriate insurance limits.

While this list reflects the good faith efforts of the parties to identify contract issues, it is not an exhaustive list of the contract issues that may be raised in this docket and the parties agree that their Direct and Rebuttal Testimony may address additional issues. In addition, some of the parties believe that most, if not all, of these issues will be affected by the Commission's order in Docket No. 03-035-14 and, as a result, the parties agree that these issues may also be addressed in Rebuttal Testimony.



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Please contact me if you have any questions.

Very truly yours,

Edward A. Hunter

CERTIFICATE OF SERVICE

I hereby certify that on this 1st day of April, 2004, I caused to be delivered, via U.S. mail, postage prepaid, a true and correct copy of the foregoing letter to Julie Orchard to the following:

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