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Date: 11/1/2006 2:20:24 PM
Subject: Re: UAE Position Statement; Docket 05-035-47 (RFP)

Based on a quick review of Natalie's most recent redline responding to UAE concerns, it appears that the items identified in UAE's position statement as Issues II (debt), IV (O&M) and VI (load curtailment), as well as most of the miscellaneous edits (issue VII), have been resolved to my satisfaction and do not need to be included as disputed issues on the matrix.

From: "Gary Dodge" <gdodge@hjdllaw.com>
Subj: UAE Position Statement; Docket 05-035-47 (RFP)
Date: Wed Nov 1,2006 1 :06 pm
Size: 2K
To: "Psc-Mlivingston" <mlivingston@utah.gov> cc: "Hocken, Natalie" <Natalie.Hocken@PacifiCorp.com>; "Kusters, Stacey" <Stacey.Kusters@PacifiCorp.com>; "Tim Hunter" <eahunter@stoel.com>; "Jennifer Martin" <jhmartin@stoel.com>; "Mike Ginsberg" <mginsberg@utah.gov>; "Patricia Schmid" <PSCHMID@utah.gov>; "Reed Warnick" <rwarnick@utah.gov>; "Paul Proctor" <pproctor@utah.gov>; eguidry@westernresources.org; Waynejoliver@aol.com; acoon@utah.gov; eselgrade@verizon.net; "Brockbank, Dean" <Dean.Brockbank@PacifiCorp.com>; "Kelly Francone" <kfrancone@energystrat.com>

Just as I was about to hit "send" on the following email and dash to the airport to catch a plane, I received a new redlined version of the RFP from Natalie which apparently responds to and accepts some of the comments from my last redline. Unfortunately, I have not had a chance to review this new redline to confirm which issues are and are not resolved. I will take a copy of the new redline with me and I will try to review it sometime today. For now at least, I'm afraid that the disputed issues identified below will need to be included on the matrix, perhaps with an asterisk indicating areas where PacifiCorp's redlined changes should probably resolve my concerns.

I attach UAE's position statement in the RFP docket. As noted in the Position Statement, the attached redlined RFP and the Position Statement deal with the 10127 version of the RFP because that was the last version I have to work with. I understand a new version will be circulated today but I am on my way out of town for a meeting and I will not be back until late tomorrow. I will thus not have time to prepare a formal response to a revised RFP prior to Friday's hearing.

It is unfortunate that we are being squeezed this way with the Friday hearing, but I see no other choice but to file my comments as they now exist. Hopefully, some of my concerns will be resolved prior to the hearing. For now, however, each of the items listed in the attached Position Statement should be considered as a "disputed" issue for purposes of the matrix to be submitted today (i.e., comparability of bids and benchmarks, Debt Imputation, Credit Requirements, O&M Obligation of Bidders, Load Curtailment/QF, and Miscellaneous wording/editing. I will be the UAE witness on Friday.

Thanks. I'll see you all on Friday.

Gary A. Dodge

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