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MARK P. FRIEDLANDER, JR.

August 4, 2005

**Via Overnight Courier**

Annie Eissler, FOIA Officer

**Bonneville Power Administration**

Mail Stop KDP-7

P.O. Box 3621

Portland, Oregon 97208

RECEIVED BY BPA FOIA OFFICE THIS DATE: 8/9/05 DUE DATE: 9/7 LOG # 05-051
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Re: **Freedom of Information Act Request**

Dear Ms. Eissler:

Pursuant to the Freedom of Information Act (FOIA), the law firm of Cotchett, Pitre, Simon & McCarthy ("CPSM") hereby requests certain documents and/or records maintained by the Bonneville Power Administration ("BPA"). CPSM is a private law firm and is seeking information for use in a pending litigation. The records sought relate to an aluminum smelter located in Longview, Washington ("Longview Aluminum Smelter"), and the accounts held with the BPA by the smelter's owners (including Reynolds, Alcoa, or Longview Aluminum L.L.C.).

Specifically, CPSM requests true and correct copies of the following document(s) from the BPA:

1. Any and all Power Sales Agreements, or other contracts or agreements whereby the BPA sold or agreed to sell power to the Longview Aluminum Smelter from 1997 through the present. This includes contracts or agreements in draft or final form
2. Any and all Curtailment Agreements, or other contracts or agreements whereby the BPA curtailed any power supply to the Longview Aluminum Smelter, whether in draft form or final, including any curtailment, buy-back, or other disposition of power supply to the Longview Aluminum Smelter from 1997 to the present.
3. Any and all documents that relate to the Curtailment Agreement Executed By the Bonneville Power Administration and Longview Aluminum LLC, signed on February 21, 2001, including any such documents referring to related presentations, correspondence, or other form of solicitation, from 1997 to the present.

Annie Eissler  
August 4, 2005  
Page 2

4. Any and all correspondence by and between the BPA, anyone affiliated with the Longview Aluminum Smelter, or third parties, that refers or relates to the Longview Aluminum Smelter between 1997 and the present that relate to the Curtailments Agreement(s) or Power Sales Agreement(s).
5. Any and all correspondence by and between the BPA and Michael Lynch, Matthew Ochalski, Dominic Forte, James McCall, or John Kolleng referring or relating to the Longview Aluminum Smelter, from 1997 to the present.
6. Any and all records, bills, or other documents that refer or relate to any energy sales to the Longview Aluminum Smelter, including information detailing the amount of energy used by the Longview Aluminum Smelter, the rates charged by the BPA for the power, and the payment history or records for the Longview Aluminum Smelter from 1997 through the present.
7. Any and all records, bills, or other documents evidencing all payments made by the BPA to the Longview Aluminum Smelter pursuant to the Curtailment Agreement Executed By the Bonneville Power Administration and Longview Aluminum L.L.C., signed February 21, 2001.

This is a commercial-use request. CPSM is enclosing a check for \$250.00 for your agency's costs for locating and copying such documents. If your office estimates that this request will exceed \$250.00, please contact us. In the alternative, we are willing to inspect and copy documents for you if our request is too voluminous.

Thank you for your help in this matter. Should you have any questions I may be reached at (650) 697-6000.

Very truly yours,



Robert G. Retana

**Cotchett, Pitre, Simon & McCarthy**  
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Enclosure