

HARDY MYERS
Attorney General



PETER D. SHEPHERD
Deputy Attorney General

DEPARTMENT OF JUSTICE
GENERAL COUNSEL DIVISION

October 22, 2002

Gene Tollefson
Freedom of Information Act Officer
CILR - 4
Bonneville Power Authority
P.O. Box 3621
Portland, Oregon 97208-3621

RECEIVED BY BPA FOIA OFFICE THIS DATE: 10-23-02
DUE DATE: 11-20-02
LOG # 03-007

Re: Request for documents under Freedom of Information Act
DOJ File No. 150302-GT0373-02

Dear Mr. Tollefson:

I represent the State of Oregon, Department of Justice, in several consolidated cases currently pending in the Oregon Tax Court: *Public Utility District No. 1 of Snohomish County, Washington, et al. v. Department of Revenue*, Case Nos. 4560, 4561, 4568, 4577 and 4578.

I am making a request for copies of documents under the Freedom of Information Act.

The documents I am requesting fall into two groups: Agreements between BPA and PacifiCorp and Agreements between BPA and Portland General Electric. They include the following:

BPA/PacifiCorp documents - Agreement of Principles, dated May 28, 1993
Midpoint-Meridian Transmission Agreement
(DE-MS79-94BP94333)
AC Intertie Operation and Maintenance Agreement
(DE-MS79-93BP94278)
Malin Substation Construction Agreement
(No. 14-03-59840)

BPA/PGE documents - Malin Construction Trust Agreement
(Contract No. 14-03-29225)
Malin Operation & Maintenance Trust Agreement
(Contract No. 14-03-63627)
Grizzly Trust Agreement
(Contract No. 14-03-56747)
Grizzly Operation & Maintenance Trust Agreement
(Contract No. DE-MS79-86BP92277)
Pacific Intertie Agreement
(Contract No. DE-MS79-86BP92299)

I am also requesting a copy of Contract No. 14-03-59840 – Malin Construction & Operations Agreement, which is between PGE and the Bureau of Reclamation.

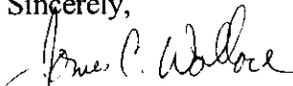
Generally, I am requesting copies of all documents between BPA and PacifiCorp and PGE that pertain to the PNW AC Intertie during the years 1994 through 2001.

Finally, I am requesting copies of all documents that amend, modify or rescind any of the documents identified above.

Since this request is made on behalf of the State of Oregon, Department of Revenue, it is my understanding that there is no charge for this request. If I am incorrect, however, the department will reimburse BPA for the costs of copying the requested documents.

If someone will call me at 503-378-6060 when copying is finished, I may be able to pickup the copies from your Portland office. Otherwise, they may be mailed to me at the address on the first page of this letter. If there are any questions regarding this request or if I have failed to include all of the necessary information, please call me.

Sincerely,



James C. Wallace
Assistant Attorney General
Tax & Finance Section

JCW:jcw/GEND5188.DOC

C: Marilyn J. Harbur, Department of Justice
Merri Seaton, Department of Revenue



Department of Energy

Bonneville Power Administration
P.O. Box 3621
Portland, Oregon 97208-3621

SHARED SERVICES

October 23, 2002

In reply refer to: CILR-4

Mr. James C. Wallace
Assistant Attorney General
Tax & Finance Section
Department of Justice
General Counsel Division
1162 Court Street NE
Salem, OR 97301-4096

Dear Mr. Wallace:

Thank you for the letter of October 22 requesting documents under provisions of the Freedom of Information Act. Your request has been logged as 03-007.

Specifically, you asked for eight contracts. Additionally, your request asked for an operations agreement between Portland General Electric (PGE) and the Bureau of Reclamation. Generally the request asked for copies of all documents between Bonneville Power Administration (BPA) and PacifiCorp and PGE pertaining to the PNW AC Intertie during the years 1994-2001.

Your request also asked for all documents that amend, modify or rescind any of the documents requested.

As I indicated by phone there are no charges associated with a FOIA request from a state agency.

Mr. Michael McFarland, Public Utilities Specialist, has been designated as Authorizing Official for your request. He has 20 working days, until November 20, to provide a response. Should you have any questions he may be reached at Mail Stop TMC-DITT-2 or by calling 360-418-8688.

Sincerely,

A handwritten signature in cursive script, appearing to read "Gene Tollefson".

Gene Tollefson
Freedom of Information Act Officer

bcc:

G. Tollefson - CILR-4

J. Bennett - LC-7

C. Jacobson - LC-7

M. McFarland - TMC-DITT-2

Official File - CILR (EX 13-13, 03-007)

GTollefson:aal:4444:10/23/02 (CILR-H:\data\FOIA\Wallace 1.doc)