



## Department of Energy

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

CORPORATE

November 6, 2003

In reply refer to: KDP-4

Ms. Kelly Knivila  
Stoel Rives LLP  
900 SW 5<sup>th</sup> Avenue, Suite 2600  
Portland, Oregon 97204  
(503) 294-9532

RE: FOIA Request #04-004

Dear Ms. Knivila:

Thank you for your letter of November 3, 2003, requesting information under the Freedom of Information Act. In your letter you requested the following:

1. Records reflecting or containing any communications between BPA and the Northwest Requirements Utilities (NRU) relating to the petition for review NRU filed on or after October 22, 2003 in the Ninth Circuit Court of Appeals seeking review of BPA's "Block and Slice Power Sales Agreement Independent Audit by Slice Purchasers Pursuant to 4(b)(6)(D) of the Slice Agreement Bonneville Power Administration Response to the Final Report August 18, 2003";
2. Records reflecting or containing any communications between BPA and NRU relating to the independent audit of the Actual Slice Revenue Requirement and the True-Up Adjustment charge performed by KPMG LLP on behalf of the Slice customers pursuant to 4(b)(6)(D) of the agreements between the Slice customers and BPA ("KPMG audit");
3. Records reflecting or containing any communications between BPA and NRU relating to BPA's response to the KPMG audit;
4. Records reflecting or containing any communications between BPA and NRU relating to the arbitration proceeding between BPA and the Slice Customers that is currently pending before the CPR Institute for Dispute Resolution concerning the KPMG audit and the BPA's response thereto; and

5. Records reflecting or containing any communications between BPA and NRU relating to the judicial review proceeding filed by the Slice Customers challenging BPA's preliminary response to the KPMG audit and currently pending in the Ninth Circuit Court of Appeals under case number 03-71471.

Your request was received by our office on November 6, 2003 and has been logged in as FOIA #04-004.

You have agreed to pay costs up to \$500. If costs for your request exceed \$500, we will notify you before proceeding.

Mr. John Hairston, Public Utilities Specialist, Power Business Line, has been designated as Authorizing Official for your request. Mr. Hairston has 20 working days, until December 12, 2003, to provide a response. Should you have any questions he may be reached at Mail Stop PS-6 or by calling 503-230-5262.

Sincerely,



Annie Eissler  
Freedom of Information Officer