



DEPARTMENT OF JUSTICE
GENERAL COUNSEL DIVISION

March 18, 2004

Annie Eissler
Freedom of Information Act Officer
KDP - 4
Bonneville Power Administration
905 N.E. 11th Avenue
Portland, Oregon 97232

RECEIVED BY BPA FOIA OFFICE THIS DATE: 3/22/04
DUE DATE: 4/19/04
LOG # 04-031

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

Dear Ms. Eissler:

As I stated in our telephone conversation today, I did not receive a response to the attached letter that was sent to Mr. Tollefson. Mr. Toffefson had responded to my first two requests with a log number, among other information, and I had received the requested document within 20 working days. Please let me know if that procedure will not be followed for this request. As indicated on the phone, I am directing my third request for copies of documents under the Freedom of Information Act to you at this time.

The first two requests, below, pertain to the following capacity ownership agreements: DE-MS79-94BP94525 (Snohomish); DE-MS79-94BP94524 (Tacoma); DE-MS79-94BP94521 (Puget); and DE-MS79-94BP94522 (Seattle). Paragraph 3(b) of each of these agreements states that each capacity owner shall notify BPA in writing of its decision to utilize its Scheduling Share pursuant to either paragraph 3(b)(1) or paragraph 3(b)(2) of the agreement. However, paragraph 3(b)(1) is also the default election in the event no written election is submitted.

For each of foregoing agreements, please provide copies of

- (1) all written elections under paragraph 3(b); and
- (2) all documents that amend or modify any of these agreements.

Also, please provide copies of the following agreements:

- (3) 14-03-56379 (PacifiCorp's first intertie agreement);
- (4) 14-03-55063 (PGE's first intertie agreement); and
- (5) DE-MS79-81BP90425 (PGE purchase of firm power requirements) and all amendments.

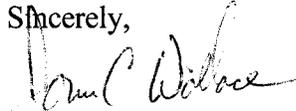
Disregard the descriptions of these agreements if they are incorrect.

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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 503-947-4491 when copying is finished, I may be able to pickup the copies from your Portland or Vancouver 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, please call me.

Sincerely,



James C. Wallace
Assistant Attorney General
Tax & Finance Section

Atch.

JCW;jcw/GENE0758.DOC

C: Marilyn J. Harbur, Department of Justice w/out atch

Merri Seaton, Department of Revenue w/out atch