



August 2, 2005

Katherine A. McDowell *Direct (503) 294-9602* kamcdowell@stoel.com

ALJ Christina Smith Oregon Public Utility Commission 550 Capitol Street NE, Suite 215 Salem, OR 97301

Re: UM 1209

Dear Judge Smith:

MidAmerican and PacifiCorp have reviewed their Joint Application under ORS 757.511 to determine whether or not PacifiCorp should be joined as a co-applicant. We have concluded that, while PacifiCorp is a necessary party to this proceeding as the utility over whom control is sought, it is not technically an "applicant" under the statute. Therefore, we request that PacifiCorp's status in this case be converted from applicant to party.

This change does not impact the Joint Application of MidAmerican and PacifiCorp in any substantive way. From a housekeeping perspective, this means that the style of the case should be "In the Matter MidAmerican Energy Holdings Company Application for Authorization to Acquire Pacific Power & Light, dba PacifiCorp. Also, the references to "Applicants" in the Joint Application should simply be changed to "MidAmerican and PacifiCorp."

If you or any of the parties have further questions or concerns on this issue, we are prepared to address them at the prehearing conference later today.

Very truly yours,

Katherine A. McDowell

KAM:kam

cc: UM 1209 service list

CERTIFICATE OF SERVICE 1 2 I hereby certify that I served the foregoing document in docket UM 1209 on the following named person(s) on the date indicated below by mailing with postage prepaid 4 5 hand delivery facsimile transmission 6 Electronic mail 7 8 to said person(s) a true copy thereof, contained in a sealed envelope, addressed to said 9 person(s) at his or her last-known address(es) indicated below. 10 Utility Workers Union of America Douglas L. Anderson PO Box 37 MidAmerican Energy Holdings Co 11 302 S 36 Street, Suite 400 San Clemente, CA 92674-0037 uwua@redhabanero.com Omaha, NE 68131 12 gerickson@midamerican.com 13 Melinda J. Davison Ralph Cavanagh 14 Natural Resources Defense Council Davison Van Cleve, PC 111 Sutter Street, FL 20 333 SW Taylor, Suite 400 15 San Francisco, CA 94104 Portland, OR 97204 mail@dvclaw.com rcavanagh@nrdc.org 16 Bernardo R. Garcia Ann English Gravatt 17 Utility Workers Union of America Renewable Northwest Project 917 SW Oak, Suite 303 18 215 Avendia Del Mar, Suite M San Clemente, CA 92672 Portland, OR 97205 19 uwua@redhabanero.com ann@rnp.org 20 Jason W. Jones Mark C. Moench MidAmerican Energy Holdings Co Department of Justice 21 Regulated Utility & Business Section 2755 E. Cottonwood Parkway, Suite 22 1162 Court Street NE 300 Salem, OR 97301-4096 Salt Lake City, UT 84171-0400 23 mcmoench@midamerican.com jason.w.jones@state.or.us 24 25 26

Page 1 - CERTIFICATE OF SERVICE

1	No. 11 - 77 - 73 - 13	
2	Matthew H. Perkins Davison Van Cleve, PC	John W. Stephens Esler Stephens & Buckley
3	333 SW Taylor, Suite 400 Portland, OR 97204	888 SW Fifth Avenue, Suite 700 Portland, OR 97204-2021
4	mwp@dvclaw.com	stephens@eslerstephens.com
5	Michael T. Weirich Department of Justice	Douglas C. Tingey Portland General Electric Co
6	Regulated Utility & Business Section	n 121 SW Salmon Street, 1WTC1301
7	1162 Court Street, NE Salem, OR 97301-4096	Portland, OR 97204 doug.tingey@pgn.com
8	michael.weirich@state.or.us	
9	Pacific Coast Federation of Fishermen's Associations	Lowrey R. Brown Jason G. Eisdorfer
10	c/o Glen H. Spain PO Box 11170	Citizens' Utility Board of Oregon 610 SW Broadway, Suite 308
11	Eugene, OR 97440-3370	Portland, OR 97205
12	fish1ifr@aol.com	lowrey@oregoncub.org
13	Steve Rothert American Rivers	Thomas P. Schlosser Rob Roy Smith
14	409 Spring Street, Suite D	Morisset, Schlosser, Jozwiak & McGaw
15	Nevada City, CA 95959 srothert@amrivers.org	801 Second Avenue, Suite 1115
16		Seattle, WA 98104-1509 <u>t.schlosser@msaj.com</u>
17		<u>r.smith@msaj.com</u>
18	Michael W. Orcutt Hoopa Valley Tribe Fisheries Dept.	
19	PO Box 417 Hoopa, CA 95546	
20	DATED: August 2, 2005.	
21	DiffED. Hagast 2, 2005.	
22		Kumbo (A A)
23		Katherine A. McDowell
24		Of Attorneys for PacifiCorp
25		
26		

Page 2 - CERTIFICATE OF SERVICE