



Jay A. Zollinger
PHONE: 503.727.2047
FAX: 503.346.2047
EMAIL: jzollinger@perkinscoie.com

1120 N.W. Couch Street, Tenth Floor
Portland, OR 97209-4128
PHONE: 503.727.2000
FAX: 503.727.2222
www.perkinscoie.com

March 9, 2005

***BY FACSIMILE AND
REGULAR MAIL***

Hon. Traci Kirkpatrick
Administrative Law Judge
Oregon Public Utility Commission
Suite 215
550 Capitol Street NE
Salem, OR 97301-2551

**Re: *Wah Chang v. PacifiCorp*;
Docket Number UM 1002**

Dear Judge Kirkpatrick:

As you know, PacifiCorp's responses to Wah Chang's three pending motions to compel are currently due tomorrow, March 10, 2005—ten Commission business days after the date of your recent order (February 24, 2005) lifting the stay that had previously been entered in this matter. I am writing to inform you that PacifiCorp and Wah Chang have reached an agreement that renders Wah Chang's motions moot.

Specifically, PacifiCorp has agreed to produce, to the extent that they can be located following a reasonably diligent search, the documents described in Wah Chang's data request number 52. PacifiCorp has also agreed to produce a privilege log describing any documents that have been withheld from production on the grounds that they are privileged or protected from production by the work-product doctrine. PacifiCorp has agreed to produce these documents and the privilege log on or before March 11, 2005.

PacifiCorp has also agreed to produce a corporate representative to testify concerning the topics described in Wah Chang's notice of deposition dated August 31, 2004. Although no date has been set for this deposition, the parties currently

[24878-0008-000000/PA050670.063]

ANCHORAGE · BEIJING · BELLEVUE · BOISE · CHICAGO · DENVER · HONG KONG · LOS ANGELES
MENLO PARK · OLYMPIA · PORTLAND · SAN FRANCISCO · SEATTLE · WASHINGTON, D.C.

Perkins Coie LLP and Affiliates

Hon. Traci Kirkpatrick
March 9, 2005
Page 2

anticipate that it will take place in late March or early April. In light of these arrangements, Wah Chang is willing to withdraw its motion to compel documents responsive to data request number 52 and its motion to compel compliance with the deposition notice.

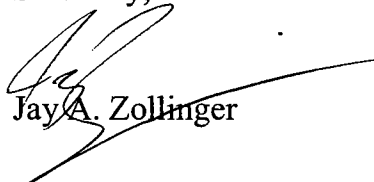
The one pending issue about which PacifiCorp and Wah Chang have not yet reached final agreement is Wah Chang's request for the production of "all audio tapes of PacifiCorp's trading conversations during 2000-2001." PacifiCorp and Wah Chang have agreed, however, to postpone resolution of this issue until after the deposition of PacifiCorp's corporate representative. The parties expect that the information Wah Chang learns during this deposition may enable PacifiCorp and Wah Chang to reach an agreement concerning this issue.

To the extent PacifiCorp and Wah Chang are unable to reach agreement concerning the production of audiotapes after the deposition of PacifiCorp's corporate representative, Wah Chang may wish to reinstate its motion to compel in order to enlist your assistance in resolving this issue. For now, however, Wah Chang desires to stay the proceedings on its motion to compel compliance with data request number 72, but to do so without prejudice to its right to prosecute that motion if PacifiCorp and Wah Chang are unable to reach agreement on this issue.

Based on the agreement outlined above, PacifiCorp does not intend to file an opposition to Wah Chang's motions at this time. If there is anything the parties need to do to implement this agreement other than sending you this letter, however, please let us know right away.

Finally, we would also like to know whether it would be possible for us to set a scheduling conference sometime during the next four to six weeks so that we can establish a schedule for further proceedings.

Sincerely,



Jay A. Zollinger

JAZ:mlb

Hon. Traci Kirkpatrick
March 9, 2005
Page 3

c: Rich Williams
Jason Jones
Lawrence Reichman

Jay A. Zollinger
PHONE: 503.727.2047
FAX: 503.346.2047
EMAIL: jzollinger@perkinscoie.com

March 11, 2005

***BY FACSIMILE AND
REGULAR MAIL***

Hon. Traci Kirkpatrick
Administrative Law Judge
Oregon Public Utility Commission
Suite 215
550 Capitol Street NE
Salem, OR 97301-2551

**Re: *Wah Chang v. PacifiCorp*;
Docket Number UM 1002**

Dear Judge Kirkpatrick:

As you know, PacifiCorp's responses to Wah Chang's three pending motions to compel are currently due tomorrow, March 10, 2005—ten Commission business days after the date of your recent order (February 24, 2005) lifting the stay that had previously been entered in this matter. I am writing to inform you that PacifiCorp and Wah Chang have reached an agreement that renders Wah Chang's motions moot.

Specifically, PacifiCorp has agreed to produce, to the extent that they can be located following a reasonably diligent search, the documents described in Wah Chang's data request number 52. PacifiCorp has also agreed to produce a privilege log describing any documents that have been withheld from production on the grounds that they are privileged or protected from production by the work-product doctrine. PacifiCorp has agreed to produce these documents and the privilege log on or before March 11, 2005.

PacifiCorp has also agreed to produce a corporate representative to testify concerning the topics described in Wah Chang's notice of deposition dated August 31, 2004. Although no date has been set for this deposition, the parties currently

Hon. Traci Kirkpatrick
March 11, 2005
Page 2

anticipate that it will take place in late March or early April. In light of these arrangements, Wah Chang is willing to withdraw its motion to compel documents responsive to data request number 52 and its motion to compel compliance with the deposition notice.

The one pending issue about which PacifiCorp and Wah Chang have not yet reached final agreement is Wah Chang's request for the production of "all audio tapes of PacifiCorp's trading conversations during 2000-2001." PacifiCorp and Wah Chang have agreed, however, to postpone resolution of this issue until after the deposition of PacifiCorp's corporate representative. The parties expect that the information Wah Chang learns during this deposition may enable PacifiCorp and Wah Chang to reach an agreement concerning this issue.

To the extent PacifiCorp and Wah Chang are unable to reach agreement concerning the production of audiotapes after the deposition of PacifiCorp's corporate representative, Wah Chang may wish to reinstate its motion to compel in order to enlist your assistance in resolving this issue. For now, however, Wah Chang desires to stay the proceedings on its motion to compel compliance with data request number 72, but to do so without prejudice to its right to prosecute that motion if PacifiCorp and Wah Chang are unable to reach agreement on this issue.

Based on the agreement outlined above, PacifiCorp does not intend to file an opposition to Wah Chang's motions at this time. If there is anything the parties need to do to implement this agreement other than sending you this letter, however, please let us know right away.

Finally, we would also like to know whether it would be possible for us to set a scheduling conference sometime during the next four to six weeks so that we can establish a schedule for further proceedings.

Sincerely,

Jay A. Zollinger

JAZ:mlb

Hon. Traci Kirkpatrick
March 11, 2005
Page 3

c: Rich Williams
Jason Jones
Lawrence Reichman