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Sent: Thursday, July 26, 2007 3:25 PM

To: Anderson, Diane M. (Perkins Coie); PUC.FilingCenter

Cc: GRAHAM Paul; natalie.hocken@pacificorp.com; Petranovich, Milo; Williams, Rich; Van Nostrand, James M. (Perkins Coie); Aldisert, Robert (Perkins Coie); Garrett, Christopher L. (Perkins Coie)

Subject: RE: Wah Chang v. PacifiCorp / UM 1002 / Letter to ALJ Patrick Power / Van Nostrand

Mr. Van Nostrand; Mr. Petranovich:

I am drafting a ruling in which I deny PacifiCorp's motion to strike but give leave for the company to offer the limited sur-rebuttal testimony. I also will accord Wah Chang the procedure it has requested regarding the filing of the written sur-rebuttal testimony and the opportunity for discovery.

I was planning on proposing to the parties that Dr. Cicchetti's appearance as a witness be deferred to the 7th, in part because I'm not certain that we can complete the cross-examination in one day, and I wanted to avoid the trouble of making him appear twice.

It appears that your procedural suggestion works very well to address all these issues and I will incorporate it into the ruling that should go out tomorrow, provided that I hear affirmatively that Wah Change concurs. If Wah Chang does not agree it should state the reasons and propose its own procedural course of action.

Patrick Power