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August 25, 2006

BY EMAIL AND U.S. MAIL

Hon. Michael Grant
Administrative Law Judge
Oregon Public Utility Commission
PO Box 2148
Salem, OR 97308-2148

Re: Docket No. UM 1268

Dear Judge Grant:

The Commission issued Order No. 06-299 in the above-referenced proceeding on June 14, 2006, pursuant to ORS 756.515(4). On June 30, 2006, Harbinger Capital Partners Master Fund I, Ltd. ("Harbinger") filed a request that the Commission hold a hearing to determine whether that order should continue in effect, pursuant to ORS 756.515(5). ORS 756.515(5) provides that the Commission shall hold the hearing not later than 60 days after receipt of such a request.

As you may know, the parties to this proceeding have been negotiating a potential resolution that may obviate the need for a hearing. August 29, 2006 is the 60th day following Harbinger's request for a hearing. In view of this impending date, Staff asked Harbinger if it would agree to waive the statutory requirement that the Commission hold a hearing within 60 days of Harbinger's request.

I am writing to inform the Commission that Harbinger will not object if the hearing requested in this matter is convened after the statutory 60-day period, subject to the following two conditions. First, Harbinger reserves the right to request a prompt hearing before the Commission in this matter, and agrees to waive the 60-day requirement on the condition that the Commission will convene a hearing no later than 60 days after Harbinger makes a written request therefor. Second, Harbinger

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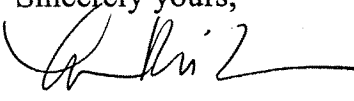
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Hon. Michael Grant
August 25, 2006
Page 2

will agree to waive the 60-day requirement upon the condition that the Commission will not convene a hearing with less than 30 days' notice to Harbinger.

Thank you for your attention to this matter.

Sincerely yours,

Lawrence Reichman

LR:dmp

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that I served the foregoing LETTER TO HONORABLE MICHAEL
3 GRANT (UM 1268) to the following persons on August 25, 2006, by causing a true copy thereof,
4 addressed to their last-known addresses, to be sent by email and U.S. mail, first-class postage
5 prepaid:

6 Citizens' Utility Board
7 of Oregon
8 OPUC Dockets
9 610 SW Broadway, Ste 308
10 Portland, OR 97205

Paul Graham
Assistant Attorney General
Department of Justice
Regulated Utility & Business
Section
1162 Court Street NE
Salem, OR 97301-4096

11 Melinda J. Davison
12 Matthew W. Perkins
13 Davison Van Cleve PC
14 333 SW Taylor, Ste 400
15 Portland, OR 97204

16 **PERKINS COIE LLP**

17 By: 

18 Lawrence H. Reichman, OSB No. 86083
19 Attorneys for Harbinger Capital Partners
20 Master Fund I, Ltd.