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November 9, 2004

Via Facsimile and U.S. Mail

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Ms. Annette Taylor  
Oregon Public Utility Commission  
PO Box 2148  
Salem, Oregon 97308-2148

Re: In the Matter of PORTLAND GENERAL ELECTRIC COMPANY v.  
VERIZON NORTHWEST, INC.  
OPUC Docket No. UM 1096

Dear Ms. Taylor:

Enclosed for filing in the above-captioned docket are an original and five (5) copies of PGE's Letter to ALJ Christina Smith for filing in the above-captioned docket.

An extra copy of this cover letter is enclosed. Please date stamp the extra copy and return it to me in the envelope provided.

Thank you in advance for your assistance.

Sincerely,



VDS:am

cc: Service List

Enclosure

**V. DENISE SAUNDERS, P.C.**  
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November 9, 2004

ALJ Christina Smith  
Oregon Public Utility Commission  
PO Box 2148  
Salem OR 97308-2148

Re: OPUC Docket No. UM 1096  
Order No. 04-653  
Request for Errata Change


Dear Judge Smith:

At your suggestion, Portland General Electric Company ("PGE") is submitting this letter to request an errata change to Oregon Public Utility Commission ("Commission") Order No. 04-653, entered on November 2, 2004 in the above-referenced docket. On September 9, 2004, PGE withdrew its complaint from the docket *with prejudice*. PGE intended to terminate the action and to bar the right to bring or maintain an action on the same claims or causes. However, in Order No. 04-653, the Commission orders that the complaint is dismissed *without prejudice*.

According to *Black's Law Dictionary*, the effect of the words "without prejudice" is to prevent the decree of dismissal from operating as a bar to a subsequent suit. This was not the intent of PGE nor of Verizon Northwest, Inc. ("Verizon"). PGE requests that the Commission correct the wording of the order to conform it to PGE's Withdrawal. PGE has consulted with Verizon, the Oregon Cable Telecommunications Association, and Commission Staff, and none of them has an objection to making an errata change to the order to reflect that the complaint is dismissed with prejudice.

Thank you for your consideration of this matter.

Sincerely,

  
by W. H. Hall

VDS:am

cc: Service List

CERTIFICATE OF SERVICE

I certify that I have caused to be served the foregoing Letter of PGE to ALJ  
Christina Smith by U.S. Mail, postage prepaid and properly addressed, and by electronic mail, to  
the parties named on the Commission's service list in this proceeding, as follows:

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Dated this 9<sup>th</sup> day of November, 2004.

PORTLAND GENERAL ELECTRIC COMPANY



V. Denise Saunders, OSB No. 90376  
Attorney for Portland General Electric Company