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Chas. F. McDevitt
Dean J. (Joe) Miller

October 18, 2005

Via Hand Delivery

Jean Jewell, Secretary
Idaho Public Utilities Commission
472 West Washington Street
Boise, ID 83702

Re: Case No. PAC-E-05-09, Order No. 29880

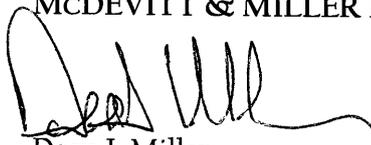
Dear Mrs. Jewell:

With respect to the opportunity granted by Order No. 29880 to file a conforming agreement by November 18, 2005, this is to notify the Commission that Schwendiman Wind LLC has declined to execute a purchase power agreement containing a "90-110 clause" because Schwendiman believes the clause impairs the commercial viability of the project and because the clause is inconsistent with Federal law.

As indicated in correspondence to the Commission of this date from counsel for PacifiCorp, the parties are continuing to explore alternative contract terms.

Very truly yours,

MCDEVITT & MILLER LLP



Dean J. Miller

DJM/lc

cc: Lisa Nordstrom
Dean Brockbank

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