



Control Number: 29035



Item Number: 156

Addendum StartPage: 0



Entergy Services, Inc.
Legal Services
919 Congress Avenue
Suite 701
Austin, TX 78701

RECEIVED

2004 JUN -7 PM 2:48

PUBLIC UTILITY COMMISSION
FILING CLERK

L. Richard Westerburg, Jr.
Assistant General Counsel
(512) 487-3957
Fax (512) 487-3958

June 7, 2004

via facsimile

Joseph Younger
Andrews Kurth
111 Congress Ave., Suite 1700
Austin, TX 78701

Re: SOAH Docket No. 473-04-1999; PUCT Docket No. 29035, *Petition of Entergy Gulf States, Inc. to Modify Schedule LQF, to Make Corresponding Revisions to Billings Under Schedule SMS, and for Authorization to Implement Modification on an Interim Basis*


Resolution Of Motion To Compel Responses to RFI Nos. 4, 5, and 12

Dear Joseph:

This letter confirms the agreement between EGSI and ALA, OXY, and SRW ("Intervenors") regarding EGSI's RFI Nos. 4, 5, and 12 in EGSI's 2nd Set of RFIs. EGSI agrees to withdraw RFI Nos. 4, 5, and 12, and Intervenors agree, in lieu of responding to those requests as drafted, to provide EGSI, upon request by EGSI, with copies of Mr. Brubaker's testimony from those dockets identified by EGSI from the list previously provided by Intervenors to EGSI of the dockets in which Mr. Brubaker has testified. EGSI agrees to limit its request for copies of Mr. Brubaker's testimony to testimony identified on the list previously provided by Intervenors as addressing PURPA, Qualifying Facilities, and avoided cost issues. Further, to the extent that EGSI cannot locate Orders from such dockets, Intervenors agree to provide EGSI with copies of Orders that Mr. Brubaker has from such proceedings.

This agreement resolves the discovery disputes and Motions to Compel regarding questions 4, 5, and 12.

Sincerely,



L. Richard Westerburg, Jr.

cc: All Parties of Record
PUCT Filing Clerk

156