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

2005 NOV 30 10:11:18  
L. Richard Westerburg, Jr.  
Assistant General Counsel  
(512) 487-3944  
(512) 487-3958

November 30, 2005

*Via Facsimile*  
Mr. Dan Lawton  
1005 Congress Avenue  
Suite 1050  
Austin, Texas 78701

Re: SOAH Docket No. 473-06-0092; PUC Docket No. 31544; *Application of Entergy Gulf States, Inc. for Recovery of Transition to Competition Costs.*

Dear Dan:

With respect to Cities' request for documents included with the notice of deposition of Dennis Thomas, as we had previously discussed, the Company was concerned that request no. 2, as written, requested documents that went beyond the permissible scope for discovery related to a testifying expert, as established in T.R.C.P. 192.3 and, in particular, subsections (3), (4) and (6) of that rule. This morning I have spoken with Norman Gordon, who you have identified as the Cities' attorney with respect to Dr. Thomas' deposition and the requests included in the deposition notice, and Mr. Gordon has agreed, and this letter confirms such agreement, that request no. 2 is to be construed to request those documents for which discovery is permissible under the cited provisions.

Thank you for your cooperation in resolving this dispute.

Sincerely,

A handwritten signature in cursive script, appearing to read "L. Richard Westerburg, Jr.", written over a horizontal line.

L. Richard Westerburg, Jr.

cc: Honorable Thomas Walston  
Honorable Wendy K.L. Harvel  
Central Records  
All parties of record