EXHIBIT B

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FINLINSON & FINLINSON, PLLC
ATTORNEYS AT LAW
11955 West Fairfield Road
Saratoga Springs, UT 84043
Telephone: (801)554-0765
Fax: (801)766-8717
E-mail: f2fwcrf@msn.com

November 17, 2005

John D. Jenks, Engineer
Division of Air Quality
150 North 1959 West
PO Box 144820
Salt Lake City, UT 84114-4820

Re: Approval Order: Sevier Power Company's 270 MW Coal-Fired Power Plant, Sevier County- CDS A; ATT: PSD: NSPS, MACT, HAPs, Title IV Major, Title V Major
Project Code: DAQE-AN2529001-04

Dear John Jenks:

Our firm represents the Sevier Power Company and they have asked me to give you an update on what has happened since the Approval Order (the "AO") referenced above was issued on October 12, 2004. In short, before the ink on the AO was dry, it was appealed. A battle over standing was fought by the Parties before the Utah Air Quality Board (the "Board"). The Board determined that the Sierra Club and the Grand Canyon Trust did not have standing. These parties have appealed the Board's ruling on standing to the Court of Appeals. The Court of Appeals has denied motions from the Sierra Club and Grand Canyon Trust to enlarge the record and to stay the Board's formal adjudication of the Sevier County Citizens For Clean Air and Clean Water's Request For Agency Action. These events have taken place over the following time line:

1. October 12, 2004, The Executive Secretary issued the above mentioned Approval Order for the Sevier Power Company.

2. November 1, 2004, the Sevier County Citizens For Clean Air and Water (the "Sevier County Citizens"), filed a combined Petition For Standing to Intervene and a Request For Agency Action on the issuance of the AO. This document was filed with the Board on November 4, 2004.

3. November 12, 2004, the Sierra Club and Grand Canyon Trust (collectively the "Sierra Club") filed a Request For Agency Action and a Statement of Standing and Petition to Intervene.

4. January 4, 2005, PacifiCorp also filed a Petition to Intervene and a Statement of Standing.

5. January 6, 2005, the Board issued a "Notification of Further Proceedings" which established a schedule for briefing and reply briefing with a hearing before the Board set for March, which was subsequently reset for hearing on April 13, 2005. The parties filed extensive briefs pursuant to this schedule.

6. April 13, 2005, the Board conducted a hearing on the standing of each of the petitioning parties. The Executive Secretary and the Sevier Power Company were granted standing by Board Rule as the main parties. The Citizens For Sevier County, the Sierra Club and Utah Power may only intervene if granted permission by the Board. After the matter was fully heard, the Board determined that it would grant standing to the Sevier County Citizens, and deny standing to both the Sierra Club and Utah Power. The Board also granted amicus status to both the Sierra Club and Utah Power. The Board mentioned that it would put its ruling in written form and approve the written draft as the final order at its next meeting in May.

7. May 12, 2005, the Board, after a review of its written order prepared by Counsel Fred Nelson, adopted the May 12, 2005 as its written order which both granted and denied standing to the respective parties as mentioned above.

8. May 17, 2005, the Sierra Club filed its Petition for Review with the Court of Appeals seeking a reversal of the May 12th Board decision denying standing. The Sierra Club also filed a Motion to Stay the Sevier County Citizens' Request For Agency Action pending its appeal to the Court of Appeals.

9. June 1, 2005, the Board held a hearing on the Sierra Club's Motion to Stay the Request For Agency Action. After the matter had been briefed and all parties had presented information to the Board, it determined that it would not stay the remaining Request For Agency Action filed by the Sevier County Citizens. This order was signed by the Chairman of the Board on June 6, 2005. A schedule for Request For Agency review was adopted which provided a time for answers to be filed, discovery, motions, and a proposed hearing in December, 2005 was also adopted by the Board.

   Since the Sierra Club filed its Petition For Review with the Court of Appeals, there are now two different tracts of appeal being pursued by the Sierra Club and the Sevier County Citizens. I will attempt to weave both appeals into one common time line.

10. June 10, 2005 (DAQ), the Executive Secretary and the Sevier Power Company filed with the Board their response to the Citizens November 1, 2004 Request For Agency Action.

11. June 23, 2005 (COA), the Board filed with the Appellate Court its revised record index identifying the record of the Agency in making its decision to deny standing.

12. June 24, 2005 (COA), the Sevier Power Company filed its Motion to Intervene in the Court of Appeals review of the Board's decision on standing. Intervention was granted by the Court of Appeals.

13. July 1, 2005 (COA), the Sierra Club filed a Motion For A Stay Pending Review, with supporting memorandum, requesting the Court of Appeals to stay the administrative proceedings in the DAQ.

14. July 18, 2005 (COA), the Executive Secretary filed a Motion to Intervene in the Sierra Club's Motion for the Stay. Its request for intervene was granted by the Court and the Executive Secretary filed briefs in opposition to the Sierra Club's Motion for a Stay and Motion to Expand the Record.

15. July 19, 2005 (COA), the Sierra Club filed a Motion to Supplement Record with Supporting Memorandum, and a Motion for Enlargement of Time to File Opening Brief.

16. July 28, 2005 (COA), a mediation conference was held at the Court of Appeals. All of the parties were present and participated in the conference. Subsequently, the Court Appointed Mediator issued an order releasing the parties from further participation in mediation.

17. August 29, 2005 (COA), the Court of Appeals, after reviewing the Parties' memorandums on the various motions submitted by the Sierra Club, issued its order denying the Sierra Club's Motion to Stay and also denying the Sierra Club's Motion to Supplement the Record.

18. August 30, 2005 (COA), the Court of Appeals issued a scheduling order requiring the Sierra Club's Brief to be filed by October 3, 2005. It was filed timely. The Executive Secretary and the Sevier Power Company filed their responsive briefs on November 2, 2005. The Sierra Club has an opportunity to file one more brief by December 2, 2005. After all of the briefs have been filed, the Court of Appeals will review the briefs and determine whether a hearing should be scheduled. They did not hold a hearing before denying the two previous motions of the Sierra Club. There could still be a hearing after the briefing is completed by December 2, 2005 and then after the hearing, the Court would then issue its decision on the Board's denial of standing to the Sierra Club. A final decision from the COA is still a number of months in the future.

19. September 23, 2005 (DAQ), the Executive Secretary served a set of interrogatories and request for the production of documents on the Sevier County Citizens.

20. October 3, 2005 (DAQ), the Executive Secretary filed a Motion to Compel because of the alleged failure of the Sevier County Citizens group to respond to the Interrogatories and

Requests For Production of Documents.

21. November 2, 2005 (DAQ), the Board held a hearing on the Executive Secretary's Motion to Compel. The Parties were present and submitted information to the Board about the lack of Discovery response from the Sevier County Citizens Group. After hearing from all parties, the Board granted the Motion to Compel and entered a written Order Regarding The Executive Secretary's Motion to Compel Discovery.

22. January 2006 (DAQ), this would be the earliest that a hearing on the Request For Agency Action could be held; however, at this meeting the Parties, including the Executive Secretary and the Sevier Power Company, may request the Board to rule on Preliminary Motions, and that the actual hearing, if necessary may more likely be scheduled for the February 2006 Board Meeting, with a written order being approved at the March 2006 Board Meeting. A decision made by the Board on the Request For Approval can be appealed by any party to the Court of Appeals. A Court of Appeal review of the final agency action, could take up to another year, once the appeal has been filed.

The uncertainty associated with the formal adjudicative process based on both Requests For Agency Action, coupled with the appeal of the decision denying standing to the Court of Appeals has required the Sevier Power Company to put on hold the construction of the power plant authorized by the October 12, 2004 Approval Order.

The Sevier Power Company requests the Executive Secretary to hold in abeyance the running of the 18 month period for construction to start from the date that the first Request For Agency Action was filed (November 1, 2004) until the formal adjudication process, including any appeals, is concluded and the review process confirms that the Sevier Power Company has a valid Approval Order. Please advise if further action on the part of Sevier Power Company is necessary in order to obtain the abeyance period requested. If you have any question, please call me at the number mentioned above.

Sincerely,

FINLINSON & FINLINSON, PLLC

Fred W. Finlinson

FWF
cc: The Sevier Power Company