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August 26, 1998

Via FAX (916) 654-9780

CALFED
Bay-Delta Program
1416 Ninth Street, Suite 1155
Sacramento, California 95814

Re: Draft Preferred Program Alternative

Dear Ladies and Gentlemen:

The Draft Preferred Program Alternative is unacceptable to us in that the isolated facility continues to be included as a part of the defined program. The retention as a contingent strategy is not the deferral of consideration without prejudice which we have requested.

The timetables for attempting to optimize and evaluate the "through Delta" alternatives are unrealistically short and appear to be structured for a program designed to facilitate construction of the isolated facility.

Yours very truly,

DANTE JOHN NOMELLINI
Manager and Co-Counsel

DJN:ju
cc: Thomas M. Zuckerman, Esq.

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