

Alison Rose

From: Dan Hershenson
Sent: Thursday, June 05, 2008 1:45 PM
To: David Englander, Esq.; 'Geoff Hand'
Subject: Deerfield Wind - PSB Docket 7250
Attachments: Kilpatrick 2008-06-03 corrected.wpd

David, Geoff

In preparing our responses to Deerfield's most recent discovery requests directed to Dr. William Kilpatrick, we noticed, for the first time, Dr. Kilpatrick's prefiled testimony was incomplete in that it did not contain prefiled questions and answers numbered 17 through 28. As you can see from the document which you received, the numbering sequence shows a gap between questions 16 and 29. We have determined that when the responses were transmitted electronically by Dr. Kilpatrick and paginated for submittal and distribution, for reasons unknown, the computer failed to include the above stated questions and answers. While we are not certain, we believe this may have occurred as a result of our computer failing to read the program used to generate the original questions and answers.

Nevertheless, I am attaching hereto a corrected version of the prefiled testimony which we intend to file with the Public Service Board. Prior to filing this document, I would, however, like to speak with you individually or collectively to determine whether or not you have any concerns with respect to this corrected version. I understand that you have not had an opportunity to take discovery with regard to questions and answers 17 through 28, and we would, of course, be willing to extent the discovery date for Dr. Kilpatrick's prefiled testimony and make Dr. Kilpatrick available at our expense, should you desire to take his deposition.

Please give me a call after you have had a chance to review this email and the corrected prefiled testimony.

Very truly yours,

C. Daniel Hershenson