

LAW OFFICES

JONES, JONES, CLOSE & BROWN
CHARTERED

A PROFESSIONAL CORPORATION

SEVENTH FLOOR - VALLEY BANK PLAZA
300 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101-6026

TELEPHONE
(702) 385-4202

TELECOPIER
(702) 384-2276
(702) 383-0086

OF COUNSEL
LYLE RIVERA

CLIFFORD A. JONES
HERBERT M. JONES
MELVIN D. CLOSE, JR.
JOSEPH W. BROWN
GARY R. GOODHEART
MICHAEL E. BUCKLEY
WILL KEMP
KIRK R. HARRISON
DOUGLAS G. CROSBY
RICHARD F. JOST

J. RANDALL JONES
CHARLES H. MCCREA, SR.
JANET L. CHUBB
DOUGLAS M. COHEN
PATRICIA J. CURTIS
KIRK B. LENHARD
WAYNE L. MORTIMER
JULIEN G. SOURWINE
DAVID L. MOUSEL
DOUGLAS A. SLOANE

KRISTON T. BALLARO
CARA L. BROWN
WILLIAM L. COULTHARD
DEREK C. ENCE
JAMES W. ERBECK
JOHN W. FIELD
GARY T. FOREMASTER
ANTHONY C. GORDON
KIRK D. HENDRICK
RICHARD F. HOLLEY

DAVID G. JOHNSON
JOHN E. LEACH
PAUL A. LEMCKE
MARK D. LERNER
RENEE R. REUTHER
STEPHEN M. RICE
ERIKA PALMER ROGERS
JANE A. STECKBECK
KEVIN R. STOLWORTHY
JOHN M. SULLIVAN

April 20, 1992

Steven M. Banzhaf
Banzhaf & Lynch
2290 East Speedway Blvd.
Tucson, Arizona 85701

Re: Nevada Power Company v. Monsanto Company, etal

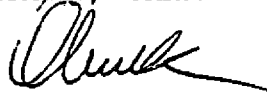
Dear Steve:

Enclosed for your reading pleasure is the Order Amending Opinion, Denying Petition For Rehearing, And Rejecting Suggestion For Rehearing En Banc in the above case. Not only did the panel which heard the case unanimously vote not to rehear it, not a single judge on the Ninth Circuit voted to "Rehear En Banc". And adding a final insult to the injury, the amended opinion, instead of attenuating the original one, actually strengthens it.

What is TEP inclined to do about this, if anything?

Very truly yours,

JONES, JONES, CLOSE
& BROWN, CHARTERED



Charles H. McCrea, Sr.

CHM:jkk
Enclosure

RENO OFFICE:

333 MARSH AVENUE • RENO, NEVADA 89504
TELEPHONE (702) 348-0880 • (702) 323-8633
TELECOPIER (702) 348-0886 • (702) 323-8668