

Tom Karier
Chair
Washington

Frank L. Cassidy Jr.
"Larry"
Washington

Jim Kempton
Idaho

Judi Danielson
Idaho



Joan M. Dukes
Vice-Chair
Oregon

Melinda S. Eden
Oregon

Bruce A. Measure
Montana

Rhonda Whiting
Montana

November 30, 2006

DECISION MEMORANDUM

TO: Council Members

FROM: John Shurts

SUBJECT: Update on Fish Passage Center transition

This agenda item is simply a placeholder. There is a possibility that the Ninth Circuit could rule on the Fish Passage Center case before the December meeting. Because the panel is aware that Bonneville's decision is on a stay order, and that the case was expedited in briefing and argument, I would not be surprised to see the court rule before the end of the year. If the court does issue its opinion, we will have a brief update in the public session and possibly a separate briefing and discussion in executive session.

We are also updating you on the status of the contract. As you know, the court ordered Bonneville to extend the FPC contract until the court disposes of the petitions. Bonneville originally extended that contract to November 28. I just heard from a Bonneville representative that the agency has extended the contract for 60 days, until January 31, 2007.