

BRADFORD L. MOORE
ATTORNEY AT LAW

508 WEST BROADWAY
BROWNFIELD, TEXAS 79316

MAILING ADDRESS
P. O. Box 352
BROWNFIELD, TX 79316

February 2, 2011

(806) 637-6466
FAX (806) 637-3877

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Office of the Attorney General
Open Records Division
P.O. Box 12548
Austin, Texas 78711-2548

RE: High Plains Diversified Energy Corporation

Gentlemen:

High Plains Diversified Energy Corporation is a local government corporation organized under the Texas Transportation Corporation Act, Chapter 431, Subchapter D of the Texas Transportation Code. By statute, High Plains Diversified Energy Corporation, as a local government corporation, is subject to the public information provisions of Chapter 552 of the Texas Government Code. On January 21, 2011, High Plains Diversified Energy Corporation received a Public Information Act Request from Charles Dunn, which requested the following information:

- "1. The sales contract between Constellation Energy and High Plains Diversified Energy Corporation for the Odessa Natural Gas Plant commonly known as the Quail Run Plant.
2. The sales contract between PSEG and High Plains Diversified Energy Corporation for the purchase of a 1,000 MV Odessa gas powered plant."

High Plains Diversified Energy Corporation requests, pursuant to § 552.301 of the Texas Government Code, a decision from the Attorney General as to whether or not the requested materials fall within one of the exceptions under Subchapter C of § 552 of the Texas Government Code. High Plains Diversified Energy Corporation will, pursuant to statute, submit to you information required by § 552.301(e) within the time periods as required by law.

Sincerely yours,

COPY

Bradford L. Moore

BLM/np