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III. METHOD AND LAND PRICE

MPSC recognizes that we appear to be stuck on expert opinions that cannot be compromised. This opinion is not shared by U.S. There are areas of compromise. We have zeroed in on main problem. If the MPSC wants to conclude in a hurry they should reconsider an attempt at compromise.

For a solution MPSC offers binding arbitration. The procedures for the commission were generally outlined. three or more well qualified people with U.S. selecting one; the MPSC one and Chairman by the two selected. Scope of work to be defined by delegation. Legal as well as value to be decided. Minimum reliance on rules of evidence was suggested which contradicts the opening statement that the arbitration would be same as adjudication.

As for method lease is again suggested except that the term would be longer.

We must agree on lease versus fee and the determination of price. If arbitration is an acceptable means to resolution that it should be without limitation. The legal questions could be separated out and the Commission could decide in the alternative. Our \$11 million offer should not be the floor and the value of the lease-backs should be considered.

Summary

1. We cannot agree on reduction of land.
2. We cannot agree on binding arbitration on (1) legal questions, (2) payment of funds not appropriated.

3. We can suggest an independent review of their consultants report by Professional Organization.
4. We have identified the large differences in value.
5. If they are serious we should make an attempt at compromise.
6. Ken Jones lease was to be continued without further diversification.
7. Lease-backs and price are related.
8. Must agree on fee versus lease or we will prolong the argument.