



Midland, Michigan 48674

April 23, 2004

Mark W. Nelson
Cleary, Gottlieb, Steen
3000 P

Washington, DC 20006-1801

Re: ETC Docket #9310 In the Matter of Aspen Technology, Inc.

Dear Mark:

I received your letter of April 13, 2004, and am writing in response
respect to the captioned matter dated April 13, 2004, as supplemented and clarified by the

writing to confirm my understanding that AspenTech does not intend to

produce into evidence any of the administrative transcripts of Jerry Gibson. Accordingly, Do

motion seeking to compel

because the letters we received April 13 and 14, 2004, were not

adequate notice to Dow and affording Dow an

we trust that AspenTech will not seek to introduce into evidence any
Gipson's transcripts without first providing a
opportunity to move for a protective order.

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