



Federal Election Commission  
Washington, DC 20463

January 12, 2009

Jan Witold Baran, Esq.  
Wiley Rein LLP  
1776 K. St., NW  
Washington, DC 20006

Re: ADR 480 (MUR 5931)

Dear Mr. Baran:

After a review of the documents submitted regarding the complaint filed against the Sumter Electric Cooperative Inc. and James P. Duncan, ("Respondents"), the Federal Election Commission ("FEC/Commission") concluded that the Alternative Dispute Resolution ("ADR") process is a more appropriate route through which to resolve this matter. The Commission voted to refer it to the Alternative Dispute Resolution Office ("ADRO"). This case has been designated as **ADR 480**. Please refer to this number in all future correspondence.

The FEC established the ADR Program to provide an informal means for resolving referrals. The ADR program provides Respondents with an opportunity to negotiate, and if necessary, mediate settlement of a referral that is mutually agreeable. If the negotiations are successful the resulting settlement concludes the matter.

The Commission, in referring the matter to the ADR Office, determined that your case is eligible for processing in that program. To be considered for ADR processing; i.e., negotiation and/or mediation, the Respondents must: 1) indicate a willingness to have their case submitted to the ADR process; 2) agree to participate in the bilateral negotiations, and, if necessary, mediation; and 3) waive the statute of limitations while the matter is being processed under the Commission's ADR program. Additional information about the ADR program is provided in the enclosed material.

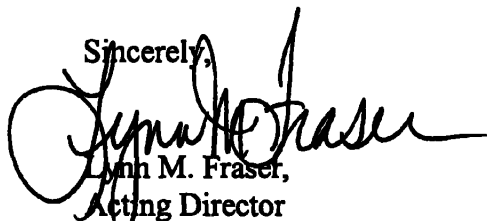
If, after reviewing the material, the Respondents agree to have their case resolved through ADR processing, they need to affirmatively indicate that desire on the enclosed form. **In order to bring this matter to a speedy resolution, please respond within fifteen (15) business days of receipt of this letter.**

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The ADR Office has received the materials that were submitted to the Office of General Counsel, but if you wish, please provide any additional response Respondents would like to make, including proposed stipulations or terms to resolve the matter. If you'd like to provide some dates and times when you'd be available to discuss this matter in detail, please include them on a separate sheet of paper. I will then review my calendar, so that a time can be scheduled. We anticipate that this matter will require only a brief meeting to bring it to conclusion.

If you have any questions about the ADR Program, or need any clarification of the status of this case, please contact me directly at the number given below.

Sincerely,



Lynn M. Fraser,  
Acting Director  
Alternative Dispute Resolution Office  
202-694-1665

Enclosures:

1. ADR Booklet
2. ADR Commitment Statement
3. Designation of Counsel/Representative