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**-BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH-**

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In the Matter of the Application of )  
PACIFICORP for Approval of ) DOCKET NO. 03-035-T10  
Schedule 37, Avoided Costs Purchases )  
For Qualifying Facilities ) PETITION TO INTERVENE  
)

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Pursuant to the provision of §63-46b-9 Utah Code (2003) and Rule R746-100-7 Utah Administrative Code (2003), of the Rules of Practice and Procedure of the Utah Public Service Commission, the Utah Energy Office (UEO) on behalf of itself and on behalf of the other Petitioners for Tariff Revision; i.e. Wind Tower Composites LLC, Utah Clean Energy Alliance, Wasatch Clean Air Coalition, Renewable Energy Development Corporation, and Tasco Engineering petitions for leave to intervene in the above-captioned docket and, in support thereof, states as follows:

1. The UEO is authorized by Utah Code Section 63-34-5(2)(2003) to participate in regulatory proceedings as appropriate to the functions and of the Department of Natural Resources, and appear on behalf of the State of Utah as an energy consumer before the Public Service Commission.
2. The UEO has an interest in the above-captioned proceeding because it is assigned statutory responsibility to facilitate the development and implementation of programs relating to energy conservation and energy efficiency. The outcome of this proceeding may impact the

ability small producers of wind-powered resources to provide power production in the State of Utah, and affect the incentive to develop clean, low-cost resources for end-use customers.

3. The UEO on behalf of itself and Wind Tower Composites LLC, Utah Clean Energy Alliance, Wasatch Clean Air Coalition, Renewable Energy Development Corporation, and Tasco Engineering seek a revision of the tariff in this matter in order to increase the size of wind-powered resources qualifying facilities that could apply for the avoided cost rate. This revision is necessary due to the inherent differences in the capacity factors of wind powered facilities and the current changes in the size, design, and construction of such facilities.
4. The Utah Energy Office, Wind Tower Composites LLC, Utah Clean Energy Alliance, Wasatch Clean Air Coalition, Renewable Energy Development Corporation, and Tasco Engineering are users, producers or potential users and producers of wind- powered electrical energy and facilities and will be affected by the result of the tariff revisions and tariff rates set in the above matter.
5. Intervention by the UEO and the listed parties to the Petition will not unduly broaden the issues or delay the proceeding.
6. The UEO and the listed parties to the Petition requests that all pleadings, correspondence, discovery, and other documents be served on the follow persons

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Dated this 30<sup>th</sup> day of January, 2004.

Respectfully submitted,

/s/

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing PETITION TO INTERVENE was mailed by United States mail, first class postage prepaid, this \_\_\_\_ day of January, 2004, to the following:

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/s/

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