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BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In the Matter of the Petition of Spring Canyon LLC for Approval of a Contract For the Sale of Capacity and Energy From Its Proposed QF Facilities

DOCKET NO. 05-035-08

In the Matter of the Petition of Pioneer Ridge LLC & Mountain Wind For Approval of a Contract For the Sale of Capacity and Energy from its Existing and Proposed QF Facilities

DOCKET NO. 05-035-09

Spring Canyon Energy, LLC's
Amended Opposition to ExxonMobil's
Petition to Intervene

On March 14, 2005, James W. Sharp for ExxonMobil filed an informal Petition to Intervene in this proceeding. Spring Canyon Energy LLC ("Spring Canyon") opposes the petition on the following grounds:

ExxonMobil's participation could delay the proceeding, which in turn could prevent Spring Canyon from being able to make the power from its qualifying facility

available to PacifiCorp by June 1, 2007 under the terms of the Stipulation in Docket No. 03-035-14. Under Utah Code Ann. §63-46b-9 (2)(b), ExxonMobil cannot demonstrate that its participation will not materially impair the orderly and prompt conduct of this adjudicative proceeding. Such delay could make compliance with time requirements of the Stipulation impossible and thereby render this proceeding meaningless.

ExxonMobil has established no legal interest in this matter. In addition, ExxonMobil filed no testimony or position statement February 28, 2005, there has been no discovery, and ExxonMobil did not even ask to intervene until late March 11, 2005 when Mr. Sharp emailed a letter to the Public Service Commission. ExxonMobil has been aware of this proceeding since its inception. ExxonMobil attended the February 18, 2005 scheduling conference in this matter by telephone and could have made its intentions known then. Allowing ExxonMobil to intervene now could cause delay and will work to the disadvantage of the other parties in the proceeding.

Finally, ExxonMobil's Wyoming project does not promote the economic vitality of Utah, a stated policy objective of the Utah State Legislature in Utah Code Ann. §54-12-1 (1).

For these reasons, Spring Canyon opposes ExxonMobil's Petition to Intervene and strongly urges the Public Service Commission to deny the Petition.

Respectfully submitted this 16th day of March, 2005.

Callister Nebeker & McCullough

Stephen F. Mecham

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was emailed this 16th day of March 2005, to the following:

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