

Brinton R. Burbidge (0491)  
Daniel R. Harper (9966)  
BURBIDGE & WHITE  
1400 Key Bank Tower  
50 South Main Street  
Salt Lake City, UT 84144  
Telephone: (801) 359-7000

*Attorneys for Utah School Boards Association*

---

**BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH**

---

In the Matter of Excess PacificCorp Income  
Tax Cost Monies Collected in Rates,

DOCKET NO. 05-035-98

**UTAH SCHOOL BOARDS  
ASSOCIATION'S PETITION TO  
INTERVENE**

---

Pursuant to Utah Code Ann. 63-46b-9, and Utah Admin. Code R746-100-7 and R746-101, Utah School Boards Association ("Utah School Boards") hereby respectfully petitions for intervention as a matter of right.

As grounds for its intervention, Utah School Boards states the following:

1. Utah School Boards is an organization representing thirty school districts in the State of Utah and organized under the 53A-5-10, *et. seq.* with principal office located at 860 East 9085 South, Sandy, Utah 84094.
2. On October 6, 2005, the Utah Committee of Consumer Services ("Committee") filed a request for agency action pursuant to Utah Code §§54-7-9 and 54-10-4 against PacificCorp.
3. On November 4, 2005, PacificCorp filed a motion to dismiss and answer.
4. Utah School Boards has a direct interest in these proceedings. It believes that the outcome of this proceeding may potentially have a substantial impact on the rates paid and refunds owed to Utah School Districts throughout the State of Utah. Therefore, Utah School Boards has a direct and substantial interest in this

proceeding that may not be represented by any other party.

5. The following persons should be included on the service list in these proceedings and all communications concerning this matter should be addressed to:

Brinton R. Burbidge  
Daniel R. Harper  
Burbidge & White  
50 South Main Suite 1400  
Salt Lake City, UT 84144  
Telephone: (801) 359-7000  
Fax: (801) 236-5319

WHEREFORE, for the reasons set forth above, Utah School Boards Association requests that the Public Service Commission of Utah grant this Motion to Intervene and permit Utah School Boards to participate in this proceeding with full rights as a party.

DATED this \_\_\_\_\_ day of January, 2006.

Respectfully submitted,

**UTAH SCHOOL BOARDS ASSOCIATION**

Brinton R. Burbidge

\_\_\_\_\_  
Daniel R. Harper

### **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing intervention of Utah School Boards Association, in Docket No. 05-035-98 was sent by U.S. Mail, postage prepaid on 9<sup>th</sup> day of January, 2006 to the following:

Michael Ginsberg  
Assistant Attorney General  
500 Heber M. Wells Building  
160 East 300 South  
Salt Lake City, UT 84114

Edward A. Hunter  
Stoel Rives LLP  
Legal Counsel for PacificCorp  
201 South Main Street, Suite 1100  
Salt Lake City, UT 84111

Reed Warnick  
Assistant Attorney General  
500 Heber M. Wells Building  
160 East 300 South  
Salt Lake City, UT 84114

---