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BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In the matter of the Application of Milford Wind Corridor Phase I, LLC and Milford Wind Corridor Phase II, LLC for Certificates of Public Convenience and Necessity for Phase I and Phase II of the Milford Wind Power Project	PETITION TO INTERVENE Docket No. 08-2490-01
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Pursuant to Utah Code Ann. § 63-46b-9 and Utah Admin. Code R. 746-100-7, Utah Associated Municipal Power Systems (“UAMPS”), by and through its attorneys of record, respectfully submits this Petition for Intervention (“Petition”) to the Public Service Commission of Utah (the “Commission”) in the above-captioned administrative proceeding (“Proceeding”). UAMPS should be permitted to intervene because its legal rights and interests are substantially affected by the Application for Certificates of Convenience and Necessity and Motion to Dismiss the Application filed by Milford Wind Corridor Phase I, LLC and Milford Wind Corridor Phase II, LLC (collectively "Milford Wind"). Additionally, the interests of justice and orderly and prompt conduct of the Proceeding will not be materially impaired by allowing intervention. In support of this Petition, UAMPS represents as follows:

A. PETITIONER'S LEGAL RIGHTS AND INTERESTS ARE SUBSTANTIALLY AFFECTED BY THE ABOVE-CAPTIONED PROCEEDING

1. UAMPS is a Utah interlocal entity and a political subdivision of the State of Utah. UAMPS was established in 1980, pursuant to the applicable provisions of the Interlocal Cooperation Act, Title 11, Chapter 13, Utah Code Ann. (1953), as amended and supplemented from time to time (the "Act"). UAMPS' current members include municipalities, joint action agencies, and public utility districts from the states of Utah, Arizona, California, Idaho, Nevada, New Mexico, and Oregon. UAMPS' purposes include planning, financing, development, acquisition, construction, improvement, betterment, operation, and maintenance of projects for the generation, transmission, and distribution of electric energy, for the benefit of its members.

2. Section 63-46b-9 of the Utah Code permits intervention if a petitioner alleges facts demonstrating that its legal rights or interests are substantially affected by a formal adjudicative proceeding, or if a petitioner otherwise qualifies as an intervenor under any provision of law. *Utah Code Ann. § 63-46b-9; see also Utah Admin. Code R746-100-7* (providing that persons wishing to intervene in a formal adjudicative proceeding before the Commission “shall do so in conformance with Section 63-46b-9”). If the requisite legal interests of a petitioner are present, Utah Code section 63-46b-9 grants the petitioner a legal right to intervene subject only to the condition that the interests of justice and the orderly conduct of the adjudicative proceedings will not be materially impaired. *See Millard County v. Utah State Tax Comm’n*, 823 P.2d 459 (Utah 1991).

3. UAMPS will be directly affected by the decision in this Proceeding because it is a Utah interlocal entity, and as such UAMPS is required to seek a Certificate of Public Convenience and Necessity from the Commission before proceeding with the construction of any electrical

generating plant or transmission line. *Utah Code Ann.* § 11-13-304. Further, UAMPS' members potentially may be affected by the proposed project because of the transmission lines and the interconnection at the IPP switching station.

4. Milford Wind's Motion to Dismiss seeks to avoid the requirement of a Certificate of Convenience and Necessity because it claims it is not an electric corporation as defined in Section 54-2-1(7) of the Utah Public Utilities Act. Milford Wind makes a tenuous argument that because no power will be sold to Utah customers, it is not an electric corporation, and therefore not subject to the siting authority of the Commission for electric generation facilities. Milford Wind, however, fails to point out that its purchaser of all the power from the proposed project is an out-of-state public agency that is clearly subject to Section 11-13-304 of the Act.

5. If Milford Wind is granted the relief it seeks in the above Proceeding, questions and issues related to the constitutional and statutory rights and obligations of UAMPS and its members, to develop and construct generation and transmission facilities pursuant to Section 11-13-304 of the Act, may come before the Commission. In addition, several of UAMPS members may be affected by Milford Wind's proposed transmission facilities and their connection to the IPP switching station. The transmission system in Utah may well be affected by this proposed facility.

6. No other party in the Proceeding will adequately protect the interests of UAMPS and its members.

B. THE INTERESTS OF JUSTICE AND THE ORDERLY AND PROMPT CONDUCT OF THE PROCEEDING WILL NOT BE MATERIALLY IMPAIRED BY ALLOWING UAMPS TO INTERVENE IN THE PROCEEDING.

The interests of justice and orderly and prompt conduct of the Proceeding will not be materially impaired by allowing intervention by UAMPS in the Proceeding. To the contrary, in light

of the substantial constitutional, statutory, and public policy issues implicated by the Milford Wind Application and Motion to Dismiss, and the potentially broad effect of the Commission's decision in the Proceeding on the interests possessed by UAMPS, the interests of justice compel the inclusion of UAMPS as an intervenor in this Proceeding. Furthermore, prompt conduct of the Proceeding will not be materially impaired by allowing UAMPS to intervene in the Proceeding.

C. NOTICE.

If intervention is granted, copies of all notices and filings should be served on the following:

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NOW THEREFORE, UAMPS respectfully requests that the Commission grant this timely Petition to Intervene and issue an Order authorizing UAMPS to fully participate as a party in the above-captioned proceeding.

DATED this 20th day of March, 2008.

VAN COTT, BAGLEY, CORNWALL & McCARTHY

Matthew F. McNulty, III
Attorneys for UAMPS

CERTIFICATE OF SERVICE

I hereby certify that I caused true and correct copies of the foregoing **PETITION FOR INTERVENTION OF UTAH ASSOCIATED MUNICIPAL POWER SYSTEMS** regarding Docket No. 08-2490-01 to be served on _____ day of _____, 2008 as indicated to following:

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