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Attorneys for Wal-Mart Stores, Inc. and Sam's West, Inc.

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**BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH**

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**In the Matter of the Application of Rocky Mountain Power for Approval of its Proposed Energy Cost Adjustment Mechanism**

**Docket No. 09-035-15**

**PETITION TO INTERVENE OF  
WAL-MART STORES, INC. AND  
SAM'S WEST, INC.**

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Pursuant to Utah Code Ann. § 63-46b-9 and Rule R746-100-7, Wal-Mart Stores, Inc. and Sam's West, Inc. (collectively, "Wal-Mart") hereby petitions for leave to intervene in this docket.

In support of this petition, Petitioner states as follows:

1. On March 16, 2009, Rocky Mountain Power (“RMP”) filed the following:  
Application of Rocky Mountain Power for Approval of its Proposed Energy Cost Adjustment  
Mechanism

2. Petitioner is a large retailer with more than 45 facilities in the Utah service territory of RMP. These facilities include both store locations and distribution centers. Wal-Mart’s corporate headquarters is located at 2001 SE 10<sup>th</sup> Street, Bentonville, Arkansas, 72716-0550. Wal-Mart is a customer of RMP, purchasing approximately 180 million kWh annually. Wal-Mart’s rates are affected by RMP’S rate structure and changes to that structure, if approved, could result in significant added costs to Wal-Mart.

3. The legal rights and interests of Petitioner may be affected by this proceeding as Wal-Mart has a substantial and diverse interest in the outcome of this case that cannot be adequately represented by another party.

4. Notices in this proceeding should be sent to the following:

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WHEREFORE, Petitioner requests leave to intervene in this proceeding to protect its interests as described herein.

DATED this 4th day of May, 2009.

**KELLY & BRAMWELL, P.C.**

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Ryan L. Kelly  
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by regular U.S. mail and email this 4th day of May, 2009, to the following:

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