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**BEFORE THE
PUBLIC SERVICE COMMISSION OF UTAH**

In the Matter of the Application of Rocky Mountain Power for Authority to Increase its Retail Electric Utility Service Rates in Utah and for Approval of Its Proposed Electric Service Schedules and Electric Service Regulations)	
)	Docket No. 09-035-23
)	KROGER CO. COMPANY'S
)	PETITION TO INTERVENE
)	

Pursuant to Utah Code § 63-46b-9, the Kroger Co. ("Petitioner") hereby petitions the Public Service Commission of Utah ("Commission") for leave to intervene and participate in the proceeding concerning the application of Rocky Mountain Power ("Applicant").

In support of its Petition the Kroger Co. states as follows:

1. On June 23, 2009, Rocky Mountain Power ("Rocky Mountain") filed an application to increase its retail electric utility service rates in Utah and for approval of its proposed electric service schedules and electric service regulations.
2. Petitioner operates numerous grocery stores, a distribution center, a dairy, a bakery and other facilities in the service territory of the Applicant. In total, Kroger has approximately 80 accounts on the Applicants system. The total load of Petitioner is approximately 140 million KWH per year. The rate increase requested by the Applicant, if approved, would result in significant added cost to the Petitioner.

3. Petitioner has a substantial and diverse interest in the outcome of this case that cannot be adequately represented by any other party.
4. Kroger requests that copies of all notices and filings in this docket be served on:

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WHEREFORE, The Kroger Co. respectfully requests that the Commission enter an Order granting its Petition to Intervene in this Docket allowing The Kroger Co. to participate to the full extent allowed by law.

Dated this 25th day of June, 2009.

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