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BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In the Matter of the Application of Rocky Mountain Power for Approval of a Power Purchase Agreement between PacifiCorp d/b/a Rocky Mountain Power and Kennecott Utah Copper, LLC.	Docket No. 09-035-62 PETITION TO INTERVENE OF KENNECOTT UTAH COPPER, LLC
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In accordance with Rule 746-100-7 of the Public Service Commission’s Rules of Practice and Procedure and the Provisions of Utah Code Ann. § 63-46b-9, Kennecott Utah Copper, LLC (“Kennecott”) hereby petitions the Public Service Commission (“Commission”) for leave to intervene in the above-referenced proceeding.

In support of this Petition to Intervene, Kennecott states as follows:

1. Kennecott owns, operates, and maintains a waste heat-fired steam cogeneration facility for the generation of electric power located within the State of Utah and intends to operate the facility as a “qualifying facility” (“QF”), as that term is defined in 18 C.F.R. Part 292, for delivery of energy to PacifiCorp (d/b/a Rocky Mountain Power) (“Rocky Mountain” or the “Company”).

2. On September 3, 2009, the Company filed its Application for Approval of a Power Purchase Agreement (“PPA”) with Kennecott to effectuate the sale of power from Kennecott’s QF to Rocky Mountain.

3. Kennecott has a direct, immediate, and substantial interest in this proceeding as the owner of the QF and party to the PPA. Kennecott’s interests will be affected by a Commission decision on Rocky Mountain’s Application.

6. The interests of Kennecott will not be adequately represented by any other party to this proceeding.

7. If granted leave to intervene in this proceeding, Kennecott hereby requests that service of all pleadings, notices, etc. be made to the following:

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8. The interests of justice and the orderly and prompt conduct of this proceeding will not be impaired by the grant of Kennecott’s Petition to Intervene.

9. Kennecott seeks approval of the PPA between it and Rocky Mountain that is the subject of this matter, and requests that the Commission grant Kennecott intervention as its interests may further appear.

WHEREFORE, Kennecott requests that the Commission enter an Order granting Kennecott permission to intervene in this docket and to participate to the full extent allowed by the law.

DATED this 22nd day of September, 2009.

/s/ Vicki M. Baldwin

F. ROBERT REEDER
VICKI M. BALDWIN
PARSONS BEHLE & LATIMER
Attorneys for Kennecott Utah Copper, LLC

CERTIFICATE OF SERVICE

(Docket No. 09-035-62)

I hereby certify that on this 22nd day of September 2009, I caused to be e-mailed, a true and correct copy of the foregoing **PETITION TO INTERVENE OF KENNECOTT UTAH COPPER,**

LLC to:

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/s/ Colette V. Dubois
