

Ellis-Hall Consultants, LLC  
835 East 4800 South, Suite 210  
Murray, Utah 84017  
(801) 281-1414  
mail@ehc-usa.com

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**BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH**

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<p><b>In the Matter of:</b> the Application of Rocky Mountain Power for Approval of the Power Purchase Agreement between PacifiCorp and Blue Mountain Wind 1, LLC</p>	<p style="text-align: center;">Docket No. 11-035-196 Ellis-Hall Consultants, LLC's Petition for Review or Rehearing</p>
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On March 30, 2015, Ellis-Hall Consultants, LLC (“Ellis-Hall”) filed a Petition to Intervene in the above-captioned matter (the “Petition”). On April 9, 2015, the Utah Division of Public Utilities (the “Division”) objected to Ellis-Hall’s Petition to Intervene. On April 17, 2015, Ellis-Hall filed a reply, noting that the Division’s objection was both factually inaccurate and, quite frankly, unprecedented.<sup>1</sup> Indeed, as far as Ellis-Hall can determine, the Division has never objected to another petition to intervene. On April 27, 2015, the Commission issued its order suspending Ellis-Hall’s Petition.

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<sup>1</sup> The Division not only misconstrued Ellis-Hall’s motives and arguments for intervening, but also misstated that “[n]othing occurred in this docket during the years between December 19, 2011 and . . . February 18, 2015.” See DPU April 9, 2015 Obj. Ellis-Hall Petition. Indeed, this blatantly contradicts the DPU’s assertion that, as of March 25, 2013, “[PacifiCorp] is *in the process* of renegotiating a contract with Blue Mountain [Wind 1, LLC] . . . .” *Ros Vrba for Energy of Utah v. Rocky Mountain Power*, Dkt No. 13-035-22, March 25, 2013 Action Request Response 6 (emphasis added); see also, Vrba February 7, 2013 Informal Complaint (showing that references to “Blue Mountain” actually refer to Blue Mountain Wind 1, LLC where the executed PPA date is November 8, 2011).

Pursuant to R746-100-11, Utah Code Ann. § 54-7-15, and § 63G-4-301, Ellis-Hall respectfully requests that the Commission review or rehear its Petition and grant the Petition, or, in the alternative, clarify its order by specifically identifying the factual and legal basis for suspending Ellis-Hall's Petition in light of the following:

First, the Commission's December 19, 2011 order suspended the Commission's "consideration of the Company's application filed in this docket." December 19, 2011 Order. It did not suspend the docket. *Contra* April 27, 2015 Order ("Based upon the current suspended status of the docket, Ellis-Hall's Petition is suspended . . ."). Consequently, the Commission's basis to suspend Ellis-Hall's Petition is misplaced.

Second, the Commission's current order not only effectively denies Ellis-Hall's Petition but also takes away Ellis-Hall's opportunity to appeal a final order.

Third, the Commission's order stands to prohibit Ellis-Hall from intervening and responding on the record to the Division's ill-conceived arguments, which remain on the record due to the Division's statutory right to intervene.

Fourth, because the PPA at issue in this docket relies on Ellis-Hall's property rights, the Commission should immediately permit Ellis-Hall to intervene to protect those rights.

Fifth, the Commission's December 19, 2011 order permitting PacifiCorp alone to recommence this matter runs afoul of PURPA's legally enforceable obligations and nondiscriminatory treatment provisions, and the Federal Energy Regulatory Commission's rules implementing PURPA. Indeed, the PPA is not a unilateral contract and the Commission should recognize the rights of stakeholders.

WHEREFORE, for the reasons set forth above, Ellis-Hall again requests that the Public Service Commission of Utah grant it leave to intervene in this proceeding to protect its interests or, in the alternative, clarify its decision.

DATED this 26th day of May 2015.

Respectfully submitted,

/s/ Tony Hall

Tony Hall

Ellis-Hall Consultants, LLC – Member

**CERTIFICATE OF SERVICE**

I hereby certify that on the 26th day of May, 2015, an original and one (1) true and correct copy of the foregoing **Ellis-Hall Consultants, LLC's Petition for Review or Rehearing** were hand-delivered to:

Gary L. Widerburg  
Commission Secretary  
Public Service Commission of Utah  
Heber M. Wells Building, Fourth Floor  
160 East 300 South  
Salt Lake City, UT 84111

and true and correct copies were electronically mailed to the addresses below:

Utah Public Service Commission:                    [psc@utah.gov](mailto:psc@utah.gov)

Rocky Mountain Power:  
    Jeff Richards                                    [jeff.richards@pacificorp.com](mailto:jeff.richards@pacificorp.com)  
    Yvonne Hogle                                   [yvonne.hogle@pacificorp.com](mailto:yvonne.hogle@pacificorp.com)  
    Jeff Larsen                                    [jeff.larsen@pacificorp.com](mailto:jeff.larsen@pacificorp.com)  
    Robert Lively                                [bob.lively@pacificorp.com](mailto:bob.lively@pacificorp.com)  
    Barry Bell                                     [barry.bell@pacificorp.com](mailto:barry.bell@pacificorp.com)  
    Data Response Center                      [datarequest@pacificorp.com](mailto:datarequest@pacificorp.com)

Division of Public Utilities:  
    Patricia Schmid                              [pschmid@utah.gov](mailto:pschmid@utah.gov)  
    Justin Jetter                                 [jjetter@utah.gov](mailto:jjetter@utah.gov)  
    Chris Parker                                 [chrisparker@utah.gov](mailto:chrisparker@utah.gov)  
    William Powell                              [wpowell@utah.gov](mailto:wpowell@utah.gov)  
    Dennis Miller                                [dennismiller@utah.gov](mailto:dennismiller@utah.gov)

Office of Consumer Services:  
    Rex Olsen                                    [rolsen@utah.gov](mailto:rolsen@utah.gov)  
    Michele Beck                                [mbeck@utah.gov](mailto:mbeck@utah.gov)  
    Cheryl Murray                              [cmurray@utah.gov](mailto:cmurray@utah.gov)  
    Bela Vastag                                 [bvastag@utah.gov](mailto:bvastag@utah.gov)  
    Danny Martinez                             [dannymartinez@utah.gov](mailto:dannymartinez@utah.gov)

Roring Family Trust  
    Tamera B. Roring                           [rorfam@yahoo.com](mailto:rorfam@yahoo.com)  
    John F. Roring                             [roringjohn@yahoo.com](mailto:roringjohn@yahoo.com)

/s/ Tony Hall  
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Tony Hall  
Ellis-Hall Consultants, LLC – Member