

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In the Matter of Demand Side Management)
Cost Recovery by PACIFICORP dba UTAH POWER) Docket No. 02-035-T12
& LIGHT COMPANY)

**PETITION FOR LEAVE TO INTERVENE
OF THE LAND AND WATER FUND OF THE ROCKIES**

Pursuant to Rule 63-46b-9 of the Rules of Practice and Procedure of the Utah Public Service Commission (Commission), the Land and Water Fund of the Rockies (LAW Fund) hereby petitions for leave to intervene in the above-captioned docket and, in support thereof, states as follows:

1. The LAW Fund is a regional environmental law and policy center serving the Rocky Mountain States. The LAW Fund’s Energy Project promotes energy efficiency, renewable resources, distributed generation, air pollutant emissions reductions and other measures to help minimize the environmental impacts of meeting the demand for energy services in an economically and politically acceptable fashion. The LAW Fund has a Utah office, a Utah board member, and volunteers and supporters who live in Utah and are PacifiCorp (Company) ratepayers.

2. The LAW Fund sponsored testimony in support of demand-side management (DSM) cost recovery mechanisms analogous to the tariff rider proposed in this docket in each of the Company’s last two rate cases (Docket Nos. 99-035-10 and 01-035-01). The LAW Fund has also participated on the Utah Energy Efficiency Advisory Group and in the stakeholder meetings on the Company’s tariff rider proposal.

3. The LAW Fund has an interest in the above-captioned proceeding because the cost-recovery mechanism for the Company's DSM expenditures could significantly influence the level of DSM resource acquired in the Company's Utah service territory. The successful development and implementation of DSM programs can, in turn, help maintain Utah's historically low electric rates and help reduce the potentially adverse environmental impacts of electricity generation and transmission.

4. Intervention by the LAW Fund will not unduly broaden the issues or delay the proceeding. The LAW Fund does not currently know what additional evidence, if any, it will present in this proceeding.

5. The LAW Fund requests that all pleadings, correspondence, discovery, and other documents be served on the following person:

Eric C. Guidry
Energy Project Staff Attorney
Land and Water Fund of the Rockies
2260 Baseline Road, Suite 200
Boulder, CO 80302

WHEREFORE, the LAW Fund requests that the Commission grant its petition to intervene.

Respectfully submitted,

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