

F. ROBERT REEDER (2710)  
WILLIAM J. EVANS (5276)  
VICKI M. BALDWIN (8532)  
PARSONS BEHLE & LATIMER  
Attorneys for UIEC  
One Utah Center  
201 South Main Street, Suite 1800  
Post Office Box 45898  
Salt Lake City, UT 84145-0898  
Telephone: (801) 532-1234  
Facsimile: (801) 536-6111

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**BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH**

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In the Matter of Demand Side Management Cost Recovery by PACIFICORP dba UTAH POWER & LIGHT COMPANY	Docket No. 02-035-T12
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**PETITION OF THE UTAH INDUSTRIAL  
ENERGY CONSUMERS FOR LATE  
INTERVENTION**

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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, Abbott Critical Care, Fairchild Semiconductor, Holcim, Inc., Kennecott Utah Copper Corp., Kimberly-Clark Corp., Praxair, Inc., and Western Zirconium (hereinafter and throughout the course of this proceeding referred to as the "Utah Industrial Energy Consumers" or UIEC"), hereby move the Public Service Commission ("Commission") for leave to intervene in the above-referenced proceeding.

1. In support of this Petition to Intervene, the UIEC state as follows:
2. The UIEC is a group of customers who each take service from PacifiCorp under Rate Schedule 9 or under Special Contract.
3. On October 30, 2002, PacifiCorp (d/b/a Utah Power & Light Company) (“PacifiCorp”) filed an Application with the Commission for approval of a Demand Side Management Cost Recover Tariff Schedule and for Establishment of Procedures to Implement Demand Side Management Cost Recovery.
4. On June 16, 2003, the Division of Public Utilities requested that the Commission change the schedule for the remaining items on the Scheduling Order in this matter, which request was approved by the Commission in a Revised Scheduling Order dated June 18, 2003. The Division’s Request for Change in Scheduling Order did not, however, include the deadline for filing petitions to intervene. The deadline for intervention was June 20, 2003.
5. Pursuant to the Revised Schedule, three meetings of a task force were scheduled to determine whether most of the issues could be resolved without a hearing. All of those task force meetings occurred or will occur after the deadline for intervention had passed.
6. As a result of the work of the task force, certain issues have arisen that are of interest to the UIEC, specifically among them, the manner and the extent to which credits may be available to those engaging in self-directed DSM.
7. The UIEC has a direct, immediate, and substantial interest in this proceeding because, as customers of PacifiCorp, it is proposed that the rates its individual members pay for electric service will increase as a result of this docket. Further, in view of the proposed credit mechanism, the willingness of the UIEC group members and/or their ability to implement energy

conservation measures may be affected by a decision of the Commission on PacifiCorp's Application.

8. The interest of the UIEC will not be adequately represented by any other party to this proceeding.

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

F. Robert Reeder  
William J. Evans  
Vicki M. Baldwin  
Parsons Behle & Latimer  
201 South Main Street, Suite 1800  
Salt Lake City, Utah 84111  
[bobreeder@pblutah.com](mailto:bobreeder@pblutah.com)  
[wevans@pblutah.com](mailto:wevans@pblutah.com)  
[vbaldwin@pblutah.com](mailto:vbaldwin@pblutah.com)

10. The interests of justice and the orderly and prompt conduct of this proceeding will not be impaired by the grant of UIEC's Petition to Intervene.

11. The UIEC has not yet determined the level of its participation or the precise nature of the relief it will seek, but requests that the Commission grant it intervention as its interest may appear.

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

DATED this \_\_\_\_\_ day of July, 2003.

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F. Robert Reeder  
William J. Evans  
Vicki M. Baldwin  
PARSONS BEHLE & LATIMER  
Attorneys for UIEC

**CERTIFICATE OF SERVICE**

I hereby certify that on this \_\_\_\_\_ day of July, 2003, I caused to be mailed, first class, postage prepaid, a true and correct copy of the foregoing **PETITION TO INTERVENE OF THE UTAH INDUSTRIAL ENERGY CONSUMERS**, to:

Douglas Larson  
PACIFICORP  
One Utah Center  
201 South Main Street  
Suite 2300  
Salt Lake City, Utah 84140

Jeff Burks  
ENERGY & RESOURCE PLANNING  
1594 West North Temple  
Suite 3610  
Salt Lake City, Utah 84114-6480

John Stewart  
PACIFICORP  
One Utah Center  
Suite 2300  
201 South Main Street  
Salt Lake City, Utah 84140

Neal Townsend  
ENERGY STRATEGIES  
39 Market Street  
Suite 200  
Salt Lake City, Utah 84101

Reed Warnick  
ASSISTANT ATTORNEY GENERAL  
500 Heber Wells Building  
160 East 300 South  
Salt Lake City, Utah 84111

Marco B. Kunz  
SALT LAKE CITY ATTORNEYS OFFICE  
451 South State Street  
Suite 505A  
Salt Lake City, Utah 84111

John M. Eriksson  
Ted D Smith  
STOEL RIVES LLP  
One Utah Center  
201 South Main Street  
Suite 1100  
Salt Lake City, Utah 84111-4904

Richard Collins  
WESTMINSTER COLLEGE  
1840 South 1300 East  
Salt Lake City, Utah 84105

Patricia Schmid  
ASSISTANT ATTORNEY GENERAL  
Heber M Wells Building 5<sup>th</sup> Floor  
160 East 300 South  
Salt Lake City, Utah 84111

Howard Geller, Executive Director  
SWEEP  
2260 Baseline, Suite 212  
Boulder, Colorado 80302

Sarah Wright  
917 Second Avenue  
Salt Lake City, Utah 84103

Gary A Dodge  
HATCH, JAMES & DODGE  
10 West Broadway  
Suite 400  
Salt Lake City, Utah 84101

Betsy Wolf  
SLCAP  
P.O. Box 58165  
Salt Lake City, Utah 84158

Eric C Guidry  
The Energy Project  
LAND & WATER FUND OF THE  
ROCKIES  
2260 Baseline Road  
Suite 200  
Boulder, Colorado 80302

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