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Commissioner Ric Campbell
Public Service Commission of Utah
Heber M. Wells Building
160 East 300 South, Four Floor
Salt Lake City, UT 84111

RECEIVED
May 8, 2006

Dear Commissioner Campbell,

We are writing to express our concern and disappointment at Utah Power's recent decision to exclude the bid from Wasatch Wind, LLC from the Company's most recent RFP for Renewable Resources; a bid deemed complete by the Company but rejected because the project does not meet the yearly minimum energy output requirements. This was after we were encouraged to bid into the RFP by Utah Power personnel. As you are aware, Wasatch Wind is a small wind project of less than 20 MWs that is slated for development in Spanish Fork. We have been negotiating with the Company since the beginning of the year and have been stymied in our attempts to get a Power Purchase Agreement signed. During our conversations with the Company and during negotiations, it has been suggested that it would be more appropriate for the Company to negotiate a contract with a winning bidder of the RFP process than with a QF.

We are currently caught in regulatory contract limbo; we are too large for Schedule 37 for QFs under 3 MWs and too small for the RFP. The RFP has a minimum requirement of 70,000 MWH per year, a requirement we miss by less than 10%. We are requesting that the Commission take action and request/order the Company to reconsider its minimum energy requirement and allow Wasatch Wind's bid to be considered in the current RFP. The Commission should order the Company to explain why it saw fit to institute a minimum bid requirement in this RFP; a requirement that we understand did not apply to the previous RFP. Wasatch Wind maintains that the requirement is arbitrary, capricious and unduly discriminatory.

The Commission is aware that Utah Code 54-12-1 and 54-12-2 mandate the promotion of small power producers and the removal of unnecessary barriers to energy transactions involving independent energy producers and electrical corporations. To be denied access to an RFP is certainly a barrier, one that this Commission can remedy. In addition contract negotiations with the Company have proven to be a substantial barrier. If The Company has justification for treating these small in-between-sized wind projects differently in the RFP process then there is certainly justification for treating smaller projects differently on a contractual basis.

We request an expatiated response from the Commission as the results of the RFP are imminent.

Sincerely,


Richard S. Collins