

Gary A. Dodge (0897)
HATCH, JAMES & DODGE
10 West Broadway, Suite 400
Salt Lake City, Utah 84101
Telephone: (801) 363-6363
Facsimile: (801) 363-6666
Email: gdodge@hjdllaw.com
Attorneys for US Magnesium LLC

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

IN THE MATTER OF THE PETITION OF DESERT POWER, L.P. FOR APPROVAL OF A CONTRACT FOR THE SALE OF CAPACITY AND ENERGY FROM ITS PROPOSED QF FACILITIES	PETITION TO INTERVENE OF US MAGNESIUM LLC
	Docket No. 04-035-04

Pursuant to Utah Code Ann. § 63-46b-9 and Utah Admin. Code R746-100-7, US Magnesium LLC (“US Mag”) hereby petitions for leave to intervene in this proceeding.

In support of its petition to intervene, US Mag states as follows:

1. US Mag is a large Utah electric consumer, a PacifiCorp retail customer and the owner/operator of a cogeneration qualifying facility. US Mag has submitted for commission approval a QF contract in Docket 03-035-38, which is expected to proceed to hearing shortly after this docket has been heard.

2. The legal rights and interests of US Mag may be substantially affected by this proceeding. In this docket, the Commission and other parties will be required to examine and

resolve a number of issues relating to security and other matters that will have a substantial impact on US Mag's contract.

3. US Mag has not fully determined the specific positions it will take. US Mag seeks to intervene for purposes of protecting its interests as they may appear.

4. The interests of justice and the orderly and prompt conduct of this proceeding will not be materially impaired by allowing US Mag to intervene. US Mag will not seek a delay in the proceedings and will abide by all procedural schedules adopted by the Commission.

5. Notices in this proceeding should be sent to the following:

Gary A. Dodge
HATCH, JAMES & DODGE
10 West Broadway, Suite 400
Salt Lake City, Utah 84101
Telephone: 801.363.6363
Facsimile: 801.363.6666
Email: gdodge@hjdllaw.com

Roger Swenson
US Magnesium LLC
238 North 2200 West
Salt Lake City, UT 84114-6751
Telephone: 801.532.2043
Facsimile: 801.534.1407
E-mail: roger.swenson@prodigy.net

WHEREFORE, US Mag requests leave to intervene in this proceeding to protect its interests as they may appear.

DATED this 4th day of June, 2004.

HATCH, JAMES & DODGE

Gary A. Dodge
Attorneys for US Mag

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was sent by United States mail, postage prepaid, or by email this 4th day of June, 2004, to the following:

Edward Hunter
John Eriksson
STOEL RIVES
201 South Main Street, Suite 1100
Salt Lake City, UT 84111
eahunter@stoel.com
jmeriksson@stoel.com
Attorneys for PacifiCorp

Stephen F. Mecham
CALLISTER NEBEKER & McCULLOUGH
Gateway Tower East, Suite 900
10 East South Temple
Salt lake City, Utah 84133
sfmecham@cnmlaw.com
Attorneys for Desert Power L.P.

Michael Ginsberg
Patricia Schmid
ASSISTANT ATTORNEY GENERAL
Division of Public Utilities
500 Heber M. Wells Building
160 East 300 South
Salt Lake City, UT 84111
mginsbert@utah.gov
pschmid@utah.gov
Attorneys for Division of Public Utilities

Reed Warnick
ASSISTANT ATTORNEY GENERAL
Committee of Consumer Services
160 East 300 South, 5th Floor
Salt Lake City, UT 84111
rwarnick@utah.gov
Attorneys for Committee of Consumer
Services
