

John P. Harrington  
Aaron G. Murphy  
Holland & Hart LLP  
60 E. South Temple, Suite 2000  
Salt lake City, UT 84111-1031

Robert M. Pomeroy  
Thorvald A. Nelson  
Holland & Hart LLP  
8390 E. Crescent Pkwy, Suite 400  
Greenwood Village, CO 80111-2811

Attorneys for Calpine Corporation

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**BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH**

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In the Matter of the Application of PACIFICORP for a Certificate of Convenience and Necessity Authorizing Construction of the Lake Side Power Project	Docket No. 04-035-30  PETITION TO INTERVENE OF CALPINE CORPORATION
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Pursuant to Utah Code Ann. § 63-46b-9 and Utah Administrative Code R746-100-7, Calpine Corporation (“Petitioner”) hereby petitions for leave to intervene in the above-captioned proceeding.

In support of this petition to intervene, Petitioner states as follows:

1. Petitioner operates wholesale electrical generating facilities throughout the United States and proposes to construct new generation facilities within the State of Utah. Moreover, Petitioner submitted bids in response to RFP 2003-A issued by PacifiCorp.

2. The Application in this Docket seeks approval of PacifiCorp's determination that an asset purchase and sales agreement with Summit Vineyard, LLC for the development and construction of the Lake Side Power Project represented the best cost/risk balance when compared to all responses in the 2007 Resource category of PacifiCorp's RFP 2003-A process. It also requests a determination that the proposal is in the public interest and will not adversely affect any other public utility. The legal rights and interests of Petitioner may thus be substantially affected by this proceeding.

3. Petitioner has not determined the positions it will take in this matter, and seeks to intervene in order to protect 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 Petitioner to intervene.

5. Petitioner respectfully requests that pleadings, motions, notices, testimony and all other filings in this proceeding be sent to the following:

Avis Clark  
Calpine Corporation  
4160 Dublin Boulevard  
Dublin, CA 94568-3139

Robert M. Pomeroy  
Thorvald A. Nelson  
Holland & Hart LLP  
8390 E. Crescent Pkwy, Suite 400  
Greenwood Village, CO 80111-2811

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Wherefore, Petitioner hereby respectfully requests leave to intervene.

DATED this \_\_\_\_ day of June, 2004.

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Attorneys for Calpine Corporation

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was mailed, postage prepaid, this \_\_\_\_ day of June, 2004, to the following:

John Stewart  
PacifiCorp  
201 South Main Street, Suite 2300  
Salt Lake City, UT 84111

Edward A. Hunter  
Jennifer E. Horan  
STOEL RIVES LLP  
201 South Main Street, Suite 1100  
Salt Lake City, UT 84111

Reed Warnick  
Assistant Attorney General  
Utah Committee of Consumer Services  
Heber M. Wells Bldg., Fifth Floor  
160 East 300 South  
Salt Lake City, UT 84111

Michael Ginsberg  
Assistant Attorney General  
Utah Division of Public Utilities  
Heber M. Wells Bldg., Fifth Floor  
160 East 300 South  
Salt Lake City, UT 84111

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