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BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In the Matter of the Petition of Spring Canyon LLC for Approval of a Contract For the Sale of Capacity and Energy From Its Proposed QF Facilities	Docket No. 05-035-08
In the Matter of the Petition of Pioneer Ridge LLC & Mountain Wind For Approval of a Contract For the Sale of Capacity and Energy from its Existing and Proposed QF Facilities	Docket No. 05-035-09 ExxonMobil Entry of Appearance and Response To Spring Canyon Energy, LLC's Amended Opposition to ExxonMobil's Petition to Intervene

ExxonMobil Production Company, by and through its undersigned counsel, hereby submits an Entry of Appearance and responds to Spring Canyon Energy, LLC's Amended Opposition to ExxonMobil's Petition to Intervene.

Pursuant to Utah Admin. Code R746-100-6, James Holtkamp and Thorvald Nelson of Holland & Hart LLP hereby enter their appearance on behalf of ExxonMobil. Mr. Holtkamp is licensed to practice in Utah.

With respect to Spring Canyon Energy, LLC's Amended Opposition to ExxonMobil's Petition to Intervene, ExxonMobil states as follows:

1. As discussed in ExxonMobil's Petition to Intervene filed on March 11, 2005, ExxonMobil owns and operates a Qualifying Facility near Kemmerer, Wyoming called the Shute Creek Cogeneration Facility ("SCCF"). ExxonMobil desires the opportunity to sell the electricity generated by this facility to PacifiCorp in Utah.

2. These two consolidated dockets may determine whether ExxonMobil will have such an opportunity. These dockets may also determine the price that ExxonMobil might be authorized to charge for such a sale. Thus, ExxonMobil's legal rights or interests are substantially affected by these dockets and ExxonMobil has grounds for intervention under Utah Code § 63-46b-9.

3. ExxonMobil understands and accepts the fact that these dockets are currently in process. ExxonMobil also accepts that it must take the procedural schedule as it finds it. Accordingly, ExxonMobil agrees that it shall not seek any change to the current schedule. Indeed, ExxonMobil is prepared to offer rebuttal testimony on March 18, 2005 as called for in the procedural schedule. ExxonMobil is also prepared to present its witness at the hearing scheduled for March 24, 2005. Thus, Spring Canyon's claims that ExxonMobil's intervention will materially impair the orderly and prompt conduct of the hearing are not grounded in fact.

4. Spring Canyon also argues that allowing ExxonMobil to intervene will "work to the disadvantage of the other parties to the proceeding." Amended Opposition at p. 2. Whether true or not, this is not a reason to deny ExxonMobil's petition. Rather Utah law makes it clear that the standard to be applied is whether allowing the

intervention will materially impair the interests of justice. In this instance, the interests of justice dictate allowing ExxonMobil to participate so the Commission may consider the greatest range of options possible to determine how to meet Utah's growing demand for electricity. Further, Spring Canyon will have the opportunity to cross-examine ExxonMobil's witness at the hearing and may, of course, make such arguments to the Commission as Spring Canyon sees fit regarding ExxonMobil's project.

5. Spring Canyon finally objects to ExxonMobil's intervention on the grounds that its project does not promote the economic vitality of Utah. But again this is simply not a relevant issue when deciding whether to permit a party to intervene. To the extent Spring Canyon wishes to advance this argument in the proceeding, Spring Canyon shall have the opportunity to do so and the Commission will have the opportunity to fully consider both Spring Canyon's arguments and ExxonMobil's response.

WHEREFORE, ExxonMobil respectfully requests that the Commission accept the Entry of Appearance of ExxonMobil's counsel and requests that the Commission grant ExxonMobil's Petition for Intervention filed on March 11, 2005.

Dated this 17th of March, 2005

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CERTIFICATE OF SERVICE

I hereby certify that an original and five copies the foregoing was hand delivered this 17th day of March, 2005, to the following:

Julie Orchard
Commission Secretary
Public Service Commission
160 East 300 South, 4th Floor
Salt Lake City, UT 84111
jorchard@utah.gov

I hereby certify that a true and correct copy of the foregoing was emailed this 17th day of March, 2005, to the following:

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