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BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

IN THE MATTER OF THE PETITION OF
PIONEER RIDGE, LLC AND MOUNTAIN
WIND, LLC FOR APPROVAL OF A
CONTRACT FOR THE SALE OF
CAPACITY AND ENERGY FROM THEIR
PROPOSED QF FACILITIES

Docket No. 05-035-09

IN THE MATTER OF THE PETITION OF
SPRING CANYON FOR APPROVAL OF A
CONTRACT FOR THE SALE OF
CAPACITY AND ENERGY FROM ITS
PROPOSED QF FACILITIES

Docket No. 05-035-08

PETITION TO INTERVENE OF DESERT POWER, L.P.

Pursuant to Utah Code Ann. § 63-46b-9 and Utah Admin. Code R746-100-7, Desert Power, L.P. (“Desert Power”) hereby petitions for leave to intervene in this proceeding.

In support of its petition to intervene, Desert Power states as follows:

1. Desert Power is an independent power producer that was a party to the stipulation to the Interim Settlement on Qualifying Facilities at issue herein. Pursuant to that

stipulation, Desert Power negotiated a contract with PacifiCorp, which contract was approved by order of this Commission dated October 7, 2004 in Docket No. 04-035-04. In addition, Desert Power is a customer of PacifiCorp.

2. Under the approved Agreement, and pursuant to its terms, Desert Power is building an addition to its power plant with a nameplate rating after the expansion of approximately 125 MW with a net output of approximately 95 MW. The actual output for purposes of the contract is dependent upon testing after completion of the power plant pursuant to the terms of Section 1.20 of the Agreement as approved by final Commission order, which states in pertinent part: “Net Dependable Capacity shall be 95,000 kW, subject to adjustment following final testing of the Facility.” Thus, the actual output of the power plant under the Agreement and the final Commission is subject to the final testing of the power plant and the other provisions of the Agreement. The Commission should undertake no action in this proceeding that would abridge or modify the rights and duties of Desert Power under the Agreement.

3. The legal rights and interests of Desert Power may be substantially affected by this proceeding.

4. The interests of justice and the orderly and prompt conduct of this proceeding will not be materially impaired by allowing Desert Power to intervene.

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

Charles M. Darling, IV
President & General Manager
Desert Power, L.P.
2603 Augusta Dr., Suite 880
Houston, TX 77057

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

DATED this 23rd day of March, 2005.

DESERT POWER, L.P.

BY: _____
Charles M. Darling, IV
President & General Manager

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was sent by email this 23rd day of

March, 2005, to the following

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