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and

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Attorneys for Wal-Mart Stores, Inc.

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In the Matter of the Application of
PacifiCorp for Approval of its Proposed
Electric Service Schedules and Electric
Service Regulations

)
) Docket No. 06-035-21
)
) MOTION TO INTERVENE
) OUT OF TIME OF
) WAL-MART STORES, INC.
)
)

Pursuant to Utah Code Ann. § 63-46b-9 (1992) and Utah Admin. Code § R746-100-7, Wal-Mart Stores, Inc. respectfully submits this Motion to Intervene Out of Time. In support of this Motion, Wal-Mart states as follows:

1. PacifiCorp (d/b/a Utah Power & Light Co.) filed an application with the Commission for approval of its proposed electric service schedules and electric service regulations on March 7, 2006. Wal-Mart only recently became aware of the application, and of the Commission's April 21 intervention deadline.

2. Wal-Mart is a large commercial customer of PacifiCorp, and is one of the largest private consumers of energy in the United States. Wal-Mart operates multiple large retail stores selling a variety of consumer goods throughout the delivery service territories of PacifiCorp. Thus, Wal-Mart is a significant delivery services customer of PacifiCorp.

3. As a major retail customer of PacifiCorp, Wal-Mart has a direct interest in these proceedings, and the outcome may have a substantial effect on Wal-Mart. Wal-Mart's interest cannot be adequately be represented by any existing or future participant in these proceedings, given the competitive and unique nature of its interest.

4. Wal-Mart has substantial and unique insights gained in various states and markets regarding issues in this proceeding, including those such as rate design, cost of service and revenue recovery.

5. Immediately upon becoming aware of the PacifiCorp application, and of the intervention deadline, Wal-Mart analyzed the application, its affected legal and financial interests, and determined that its interests would not be adequately protected by other parties.

6. Wal-Mart's intervention will not unduly delay or prejudice the rights of other parties to the case. Wal-Mart will accept the record and procedural schedule as established. Accordingly, Wal-Mart respectfully requests it be allowed to participate immediately as a full party to this proceeding pending final rule on this Application. Therefore, to the extent this motion is out of time, Wal-Mart requests that its intervention be granted for good cause shown.

7. The following persons should be included on the service list in these proceedings, and all communications concerning this matter should be addressed to:

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WHEREFORE, for the reasons set forth above, Wal-Mart requests that the Public Service Commission of Utah grant this Motion to Intervene and permit Wal-Mart to participate in this proceeding with full rights as a party.

DATED this 20th day of June 2006.

Respectfully submitted,

/s/ _____
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Motion to Intervene Out of Time of Wal-Mart Stores, Inc. was sent by United States mail, postage prepaid, or mailed electronically on the 20th day of June 2006, to the following:

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