

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In the Matter of the Application for Approval of a Certificate of Convenience and Necessity Authorizing Construction of the Populous-to Terminal 345 kV Transmission Line Project		Docket No 08-035-42 REQUEST TO INTERVENE
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Pursuant to the customs and practices of the Public Service Commission of Utah, including Utah Code Annotated (UCA) Section 63-46b-9 and Utah Administrative Code (UAC) R746-100-7, Willard City respectfully requests that the Commission permits them to intervene in this matter.

In support of which we state that:

1 on 25 April 2008, Rocky Mountain Power Company applied for Commission approval of their request Authorizing Construction of the Populous-to-Terminal 345 kV Transmission Line Project;

2 Willard City is a Utah inter-local entity and a political subdivision of the State of Utah. The citizens of Willard use electrical power for appliances, space and water heating in their community, for which they have no choice of alternative suppliers, and are therefore captive customers who must necessarily pay whatever rates are approved by the Commission;

3 their legal rights and interests may therefore be substantially affected by the Commission's adjudication in this matter;

4 while the Utah Division of Public Utilities is statutorily mandated to "act in the public interest in order to provide the Public Service Commission with

objective and comprehensive information, evidence, and recommendations”, etc,¹ Willard City’s legal rights and interests may or may not coincide with “the greater public interest”, etc;

5 as a community representing multiple individual customers, Willard City’s legal rights and interests and those of its citizens may or may not coincide with those of “a majority of residential consumers as determined by the committee”;

6 Willard City has not fully determined the specific positions it will take, or the relief it will seek;

7 the interests of justice and the orderly and prompt conduct of this proceeding will not be materially impaired by allowing it to intervene;

8 If Rocky Mountain Power is granted the action it seeks in the above Proceeding, questions and issues related to the constitutional and statutory rights and obligations of Willard City and its members/residents may be affected by Rocky Mountain Power’s proposed transmission facilities;

9 numerous communities, individual residents and the electrical transmission system in Utah shall be affected by this proposed facility;

10 indeed, the interests of justice might be materially impaired by denying them intervention; and

The interests of justice and orderly and prompt conduct of the Proceeding will not be materially impaired by allowing intervention by Willard City. To the contrary, in

¹ Utah Code Annotated §54-4a-6.

light of the substantial constitutional, statutory, and public policy issues implicated by the Rocky Mountain Power Application, and the potentially broad effect of the Commission's decision in the Proceeding upon the interests possessed by Willard City and it's residents, the interests of justice support the inclusion of Willard City as an intervener in this Proceeding.

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

City of Willard
Attn: Jay Aguilar
P.O. Box 593
80 West 50 South
Willard, UT 84340-0593

Wherefore, for the reasons set forth above, Willard City requests that the Public Service Commission of Utah grant this Petition to Intervene and permit Willard City to participate in this proceeding with full rights as a party.

Dated this 8th day of July, 2008.

Ryan Tingey
Mayor