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BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In the Matter of the Application of Milford Wind Corridor Phase I, LLC and Milford Wind Corridor Phase II, LLC for Certificates of Convenience and Necessity for the Milford Phase I and Phase II Wind Power Project	REQUEST FOR CLARIFICATION Docket No. 08-2490-01
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Milford Wind Corridor Phase I, LLC and Milford Wind Corridor Phase II, LLC (collectively “Milford Wind” or “Milford”), through the undersigned counsel, and pursuant to the provision at R746-100-3 hereby requests clarification of the Utah Public Service Commission’s (“Commission”) Order on Scope of Intervention and Hearing (“Order”), issued August 26, 2008. In support of said request, Milford Wind states as follows:

1. In the Order, the Commission ruled that the scope of the hearing on September 29, 2008 will generally follow the questions suggested by the Division at its August 14, 2008 response to preliminary statement of UAMPS. Among those questions are whether the applicant “has received or is in the process of receiving the necessary consents and permits to build the facility.” Order at 1.

2. The Commission’s Order further states as follows:

Relative to the applicant's permitting/consent showing, the Commission will require applicant to show it has or is in the process of obtaining the necessary consents, permits or franchises for the transmission line and its operation and use. The Commission will take such permits/consents as prima facie evidence of agreement or permission and will not look behind such permits/consents to question the basis or underlying decision that the entities giving such permits/consents.

Order at 2.

3. Milford Wind submitted with its Application a list of the permits and consents of the governmental authorities whose permission is required for construction and operation of the interconnection line. Application at Exhibit 8. Milford Wind has updated the list in its responses to discovery requests, and will update the list again at the hearing of this matter on September 29, 2008. However, the list does not include the Interconnection Agreement between Milford Wind and the Intermountain Power Authority ("IPA"), even though the Interconnection Agreement is required to operate the interconnection line.

4. During the hearing on the scope of issues to be considered in this docket, counsel for Milford Wind argued that the Commission should not revisit the basis underlying the Interconnection Agreement:

We agree that the Commission ought to look at [the question of whether the applicant received or is in the process of obtaining permits]. We don't agree that the Commission should be looking behind those permits. One of those is the Interconnection Agreement that is already . . . executed by all the parties, IPA and Milford Wind.

. . . .

the Commission needs to be sure that the Interconnection Agreement is in place, along with permits from the BLM and state and county, et cetera., but should not be looking behind it and second-guessing the system impact studies that are underlying that

Interconnection Agreement.

Transcript of Proceedings, Aug. 21, 2008 at 16-17.

5. The Commission's Order states that it "will not look behind such permits/consents to question the basis or underlying decision of the entities giving such permits/consents." It is not clear from the Order, however, whether the Interconnection Agreement between Milford Wind and IPA is included among those permits/consents behind which the Commission will not look.

6. Milford Wind, therefore, requests the Commission to clarify whether the Interconnection Agreement was included among the permits/consents in question, or whether the Commission expects to hear testimony on the system impact studies and other data underlying Milford Wind and IPA's decision to enter into the Interconnection Agreement.

Milford respectfully requests that the Commission clarify its Order as soon as possible so that the parties may conform to the clarified Order in preparing their pre-filed testimony and presentations at hearing.

DATED this 11th day of September, 2008.

/s/ William J. Evans

WILLIAM J. EVANS

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Attorneys for Milford Wind Corridor Phase I, LLC
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CERTIFICATE OF SERVICE

I hereby certify that on this 11th day of September, 2008, I caused to be sent by electronic mail and by U.S. first class mail, postage pre-paid, a true and correct copy of the foregoing **REQUEST FOR CLARIFICATION** to the following:

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