

- 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 Projects)))))))))	<u>DOCKET NO. 08-2490-01</u> <u>ORDER ON REQUEST FOR CLARIFICATION</u>
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ISSUED: September 23, 2008

By the Commission:

THIS MATTER is before the Commission on Milford Wind Corridor’s (“Milford”) Request for Clarification filed on September 11, 2008. Milford requests clarification of the Commission’s Order on Scope of Intervention and Hearing (“Order”) issued August 26, 2008. Although R746-100-4(D) allows a party to file a responsive pleading, the Commission will issue this Order of Clarification without waiting for responsive pleadings. This because the present Order merely clarifies the Commission’s previously issued August 26, 2008 Order, and given that the hearing related to the August 26, 2008 hearing is scheduled for September 29, 2008.

In its August 26, 2008 Order the Commission stated that one of the questions the scope of the September 29, 2008 hearing will address is whether Milford “has received or is in the process of receiving the necessary consents and permits to build the facility.” Further, the Commission stated that it “ will not look behind such permits/consents to question the basis or underlying decision of the entities giving such permits/consents.” Milford seeks clarification as

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to “whether the Interconnection Agreement between Milford and IPA is included among those permits/consents behind which the Commission will not look.”

The Commission does not consider the Interconnection Agreement as part of the “necessary consents and permits” required to build the facility. The Order refers to the “consents and permits” required by governmental entities, i.e. those required by “the proper county, city, municipal, or other public authority” as stated in U.C.A. section 54-4-25(4)(a)(i).

Therefore, the Commission does not expect to receive testimony on the system impact studies and other data underlying Milford and IPA’s decision to enter into the Interconnection Agreement at the September 29, 2008 hearing.

DATED at Salt Lake City, Utah this 23rd day of September, 2008.

/s/ Ruben Arredondo
Administrative Law Judge

Approved and Confirmed this 23rd day of September, 2008, as the Order of the Public Service Commission of Utah.

/s/ Ted Boyer, Chairman

/s/ Ric Campbell,
Commissioner

/s/ Ron Allen, Commissioner

Attest:

/s/ Julie Orchard
Commission Secretary

G#59136