

Mike Legge
President
US Magnesium LLC
238 North 2200 West
Salt Lake City, Utah 84116

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

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)	
In the Matter of the Application of Rocky)	
Mountain for Authority to Increase Its)	<u>DOCKET NO. 09-035-23</u>
Retail Electric Utility Service Rates in)	
Utah and for Approval of Its Proposed)	Motion to Intervene by US
Electric Service Schedules and Electric)	Magnesium LLC
Service Regulations)	

Pursuant to Utah Code Ann. 63-46b-9 and Utah Admin. Code R746-100-7, US Magnesium LLC (“US Mag”) hereby moves for leave for late intervention in the above referenced proceeding before the Public Service Commission of Utah. In support of this Motion, US Mag states as follows:

1. US Mag operates a magnesium production facility near Rowley, Utah and receives service under a special contract approved by this Commission. US Mag’s full name and address for correspondence

Magnesium Corporation Of America
238 North 2200 West
Salt Lake City, Utah 84116
2. As a major industrial customer of PacifiCorp, US Mag has a direct interest in these proceedings. It has been brought to attention through the recently filed direct testimony

of certain parties in this proceeding with regard to the cost of service and allocation of such cost that the outcome of this proceeding may have a substantial impact on the future economics of continued operation of the US Mag facility.

3. US Mag's interest in the outcome of these proceedings will not be adequately represented by any other party, nor will US Mag's participation impair the conduct of the proceeding. In that light, US Mag will not ask to change any deadlines that exist in the schedule in this matter. Also, US Mag will only file testimony as rebuttal or supportive testimony in regards to direct testimony of others as filed in this matter.
4. The following person should be included on the service list in these proceedings and all communications concerning this matter should be addressed to:

Roger Swenson
US Magnesium LLC
238 North 2200 West
Salt Lake City, Utah 84116

By email – roger.swenson@prodigy.net

Wherefore, for the reasons set forth above, US Mag requests that the Public Service Commission of Utah grant this Motion for Late Intervention and permit US Mag to participate in this proceeding with full rights as a party

Dated this ____ day of _____, 2009.

Mike Legge
President, US Magnesium LLC

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by email this 28th day of October, 2009, on the following:

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/s/ Roger Swenson
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