

F. ROBERT REEDER (2710)  
VICKI M. BALDWIN (8532)  
PARSONS BEHLE & LATIMER  
One Utah Center  
201 South Main Street, Suite 1800  
Post Office Box 45898  
Salt Lake City, UT 84145-0898  
Telephone: (801) 532-1234  
Facsimile: (801) 536-6111  
Attorneys for Tesoro Refining and Marketing  
Company

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**BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH**

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In the Matter of the Application of Rocky Mountain Power for Approval of a Power Purchase Agreement between PacifiCorp and Tesoro Refining and Marketing Company	Docket No. 10-035-111  <b>PETITION TO INTERVENE OF TESORO REFINING AND MARKETING COMPANY</b>
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In accordance with Rule 746-100-7 of the Public Service Commission's Rules of Practice and Procedure and the Provisions of Utah Code Ann. § 63-46b-9, Tesoro refining and Marketing Company ("Tesoro"), hereby petitions the Public Service Commission ("Commission") for leave to intervene in the above-referenced proceeding.

In support, Tesoro states as follows:

1. Tesoro owns, operates, and maintains a waste heat-fired steam cogeneration facility for the generation of electric power located within the State of Utah and intends to operate the facility as a "qualifying facility" ("QF"), as that term is defined in 18 C.F.R. Part 292, for delivery of energy to PacifiCorp (d/b/a Rocky Mountain Power) ("Rocky Mountain" or the "Company").

2. On October 4, 2010, the Company filed its Application for Approval of a Power Purchase Agreement (“PPA”) with Tesoro to effectuate the sale of power from Tesoro’s QF to Rocky Mountain.

3. Tesoro has a direct, immediate, and substantial interest in this proceeding as the owner of the QF and a counter-party to the PPA. Tesoro’s interests will be affected by a Commission decision on Rocky Mountain’s Application.

6. The interests of Tesoro will not be adequately represented by any other party to these proceedings.

7. If granted leave to intervene in this proceeding, Tesoro hereby requests that service of all pleadings, notices, etc. be made to the following:

F. Robert Reeder  
Vicki M. Baldwin  
Parsons Behle & Latimer  
201 South Main Street, Suite 1800  
Salt Lake City, Utah 84111  
[bobreeder@parsonsbehle.com](mailto:bobreeder@parsonsbehle.com)  
[vbaldwin@parsonsbehle.com](mailto:vbaldwin@parsonsbehle.com)

8. The interests of justice and the orderly and prompt conduct of this proceeding will not be impaired by the grant of Tesoro’s petition for intervention.

9. Tesoro seeks approval of the PPA between it and Rocky Mountain, which is the subject of this proceeding, and requests that the Commission grant Tesoro intervention in this proceeding as its interests may further appear.

WHEREFORE, Tesoro requests that the Commission enter an Order, granting Tesoro permission to intervene in this docket and to participate to the full extent allowed by the law.

DATED this   1st   day of November, 2010.

/s/ Vicki M. Baldwin

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F. ROBERT REEDER  
VICKI M. BALDWIN  
PARSONS BEHLE & LATIMER  
Attorneys for Tesoro Refining and Marketing  
Company

**CERTIFICATE OF SERVICE**

(Docket No. 10-035-111)

I hereby certify that on this \_\_\_\_ day of November 2010, I caused to be e-mailed, a true and correct copy of the foregoing **PETITION TO INTERVENE OF TESORO REFINING AND MARKETING COMPANY** to:

Patricia Schmidt  
ASSISTANT ATTORNEYS GENERAL  
500 Heber Wells Building  
160 East 300 South  
Salt Lake City, UT 84111  
[pschmid@utah.gov](mailto:pschmid@utah.gov)

Michele Beck  
Executive Director  
COMMITTEE OF CONSUMER  
SERVICES  
500 Heber Wells Building  
160 East 300 South, 2<sup>nd</sup> Floor  
Salt Lake City, UT 84111  
[mbeck@utah.gov](mailto:mbeck@utah.gov)

Mark Moench  
Yvonne R. Hogle  
Daniel Solander  
Jeff Larsen  
ROCKY MOUNTAIN POWER  
201 South Main Street, Suite 2300  
Salt Lake City, UT 84111  
[yvonne.hogle@pacificcorp.com](mailto:yvonne.hogle@pacificcorp.com)  
[Daniel.solander@pacificcorp.com](mailto:Daniel.solander@pacificcorp.com)  
[jeff.larsen@pacificcorp.com](mailto:jeff.larsen@pacificcorp.com)  
[Mark.moench@pacificcorp.com](mailto:Mark.moench@pacificcorp.com)

William Powell  
Phil Powlick  
DIVISION OF PUBLIC UTILITIES  
500 Heber Wells Building  
160 East 300 South, 4<sup>th</sup> Floor  
Salt Lake City, UT 84111  
[wpowell@utah.gov](mailto:wpowell@utah.gov)  
[Philippowlick@utah.gov](mailto:Philippowlick@utah.gov)

Paul Proctor  
ASSISTANT ATTORNEYS GENERAL  
500 Heber Wells Building  
160 East 300 South  
Salt Lake City, UT 84111  
[pproctor@utah.gov](mailto:pproctor@utah.gov)

Cheryl Murray  
Dan Gimble  
UTAH COMMITTEE OF CONSUMER  
SERVICES  
160 East 300 South, 2<sup>nd</sup> Floor  
Salt Lake City, UT 84111  
[cmurray@utah.gov](mailto:cmurray@utah.gov)  
[dgimble@utah.gov](mailto:dgimble@utah.gov)

/s/ Colette V. Dubois

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