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Attorney for the Department of Community and Economic Development  
and the Board of Business and Economic Development

**BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH**

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IN THE MATTER OF THE APPLICATION : **PETITION TO INTERVENE**  
OF PACIFICORP AND SCOTTISH POWER  
PLC FOR AN ORDER APPROVING THE : **DOCKET NO. 98-2035-04**  
ISSUANCE OF PACIFICORP COMMON  
STOCK :

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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, the Department of Community and Economic Development of the State of Utah, and the Board of Business and Economic Development, hereby move the Commission for leave to intervene in the above-referenced proceeding.

In support of this petition to intervene, Petitioners state as follows:

1. The Department of Community and Economic Development (DCED), as created by Utah Code Ann. § 9-1-201, is responsible for community and economic development within the State of Utah. In furtherance of that responsibility the executive director of DCED or his designee is authorized to “appear in any proceeding before the Public Service Commission to testify, advise, or present argument regarding the economic development impact of any matter that is the subject of the proceeding.” Utah Code Ann. § 9-1-207(2).

2. The Board of Business and Economic Development (DBED), as created by Utah Code Ann. 9-2-202 is responsible to “promote and encourage the economic, commercial, financial, industrial, agricultural, and civic welfare of the State, and do all lawful acts for the development, attraction, and retention of businesses, industries, and commerce within the State.” Utah Code Ann. § 9-2-204(1).

3. To Petitioners’ knowledge, the interests of Petitioners will not be represented by any other party to the proceeding.

4. If Petitioners are granted intervention, they hereby request that service of all pleadings, notices, etc., be made to the following;

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Assistant Attorney General  
Attorney for Department of Community and Economic Development  
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5. The interests of justice and the orderly and prompt conduct of this proceeding will be enhanced and not be impaired by Petitioners' intervention. Moreover, the interests of justice require that Petitioners should be allowed to intervene even though this petition is being submitted a few days after the filing deadline. The executive director of DCED has a statutory responsibility to monitor and study the potential economic development impact of proceedings before the Public Service Commission. (Utah Code Ann. § 9-1-207.) Pursuant to that responsibility, and to DCED's prior request, DCED has long been on the Public Service Commission's mailing list. Nevertheless, DCED did not receive a copy of the Scheduling Order in this matter until February 26, 1999. This petition was filed within two business days thereafter.

6. Petitioners have not completed their evaluation on the potential affects of the merger. Therefore, Petitioners have not yet determined the precise nature of the relief they will seek, if any, and request that the Commission grant them intervention as their interests may appear. However, Petitioners identify at least the following issues that they believe should be considered by the Commission in this proceeding:

- a. The impact of expected rates on economic development in Utah;
- b. The level of Scottish Power's support for economic development in Utah including Scottish Power's anticipated involvement as a corporate citizen. Of particular concern is Scottish Power's corporate structure to facilitate that involvement. Petitioners

believe Scottish Power should have an executive who resides in Utah that has authority to approve corporate involvement in economic development and corporate citizenship activities;

c. The impact on Utah coal companies, particularly those owned and/or operated by PacifiCorp or an affiliate or subsidiary of PacifiCorp;

d. The impact on power plants in the State, most particularly those owned and/or operated by PacifiCorp or an affiliate or subsidiary of PacifiCorp;

e. The impact on Utah employees; and

f. How Utah assets of PacifiCorp will be insulated from liability associated with Scottish Power's nuclear facilities, if the transaction is approved.

WHEREFORE, Petitioners request that the Public Service Commission enter an order permitting DCED and DBED to intervene in this docket, and to participate to the full extent allowed by the law and the Commission's rules.

DATED this \_\_\_\_\_ day of March, 1999.

JAN GRAHAM  
Attorney General

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BRIAN L. FARR  
Assistant Attorney General  
Attorney for Petitioners

CERTIFICATE OF SERVICE

I hereby certify that on this \_\_\_\_\_ day of March, 1999, I caused to be mailed, first class, postage prepaid, a true and correct copy of the foregoing PETITION TO INTERVENE to:

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