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Attorneys for El Paso Midstream Investment Company, LLC

Submitted: September 8, 2011

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

)	
)	Docket No. 11-999-08
)	
IN THE MATTER OF THE PETITION OF)	PETITION OF EL PASO MIDSTREAM INVEST-
INTEGRATED WATER MANAGEMENT)	MENT COMPANY, LLC,
LLC)	TO INTERVENE AND
)	APPEAR SPECIALLY
FOR A DECLARATORY ORDER)	

Pursuant to Utah Code Ann. §§ 63G-4-207 and -503(4) (2011) and Utah Administrative Code §§ R746-100-6 and -7 (2011), EL PASO MIDSTREAM INVESTMENT COMPANY, LLC, petitions the Utah Public Service Commission to intervene and appear specially in the captioned proceeding.

1. El Paso Midstream Investment Company, LLC (“El Paso”) is a Delaware limited liability company authorized to do business in Utah.

2. El Paso is not a Utah “public utility,” as defined by Utah statute, and is not subject to the regulatory jurisdiction of the Commission.

3. On July 18, 2011, Integrated Water Management, LLC (“IWM”) petitioned the Commission to issue a declaratory order involving a potential transaction in which El Paso would provide natural gas for the ultimate consumption by IWM at its wastewater treatment facility in Duchesne County, Utah.

4. Utah Code Ann. § 63G-4-503(3)(b) provides that the Commission “may issue declaratory order that would substantially prejudice the rights of a person who would be a necessary party, *only* if that person consents in writing to the determination of the matter by a declaratory proceeding.” (Emphasis added.)

5. A declaration by the Commission concerning the jurisdictional status of El Paso could “substantially prejudice” El Paso’s rights, as that term is used in Utah Code Ann. § 63G-4-503(3)(b).

6. El Paso has not, and does not by this special appearance before the Commission, “consent[] in writing to the determination of the matter [raised by IWM in this] declaratory proceeding.”

WHEREFORE, El Paso seeks to intervene by special appearance in the captioned matter and to enter the appearance of counsel, as set forth in the heading of the first page of this pleading.

DARED this 8th day of September 2011.

Respectfully submitted,

JONES, WALDO, HOLBROOK & MCDONOUGH, P.C.

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CERTIFICATE OF SERVICE

I certify that I have served by U.S. Mail and e-mail the foregoing PETITION OF EL PASO MIDSTREAM INVESTMENT COMPANY, LLC, TO INTERVENE AND APPEAR SPECIALLY on:

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