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IDAHO PUBLIC
UTILITIES COMMISSION

BEFORE THE

IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF A PETITION)	
FILED BY AVISTA CORPORATION)	CASE NO. AVU-E-09-04
FOR AN ORDER DETERMINING THE)	
OWNERSHIP OF THE)	PETITION TO INTERVENE
ENVIRONMENTAL ATTRIBUTES)	OF EXERGY DEVELOPMENT
("RECS") ASSOCIATED WITH A)	GROUP OF IDAHO, LLC
QUALIFYING FACILITY UPON)	
PURCHASE BY A UTILITY OF THE)	
ENERGY PRODUCED BY A)	
<u>QUALIFYING FACILITY</u>)	

COMES NOW, EXERGY DEVELOPMENT GROUP OF IDAHO, LLC, hereinafter referred to as "Intervenor," and pursuant to this Commission's Rules of Procedure, Rule 71 IDAPA 31.01.01.71 hereby petitions the Commission for leave to intervene herein and to appear and participate herein as a party, and as grounds therefore states as follows:

1. The name and address of this Intervenor is:

Exergy Development Group of Idaho, LLC
c/o Peter J. Richardson
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Copies of all pleadings, production requests, production responses, Commission orders and other documents should be provided to Peter J. Richardson as noted above.

2. This Intervenor, Exergy Development Group of Idaho, LLC is actively developing renewable energy projects in Idaho under PURPA. Exergy claims a direct and substantial interest in this proceeding in that the ownership of RECs is an integral tool necessary for the development of its projects.

3. This Intervenor, in its capacity as a renewable energy developer intends to participate herein as a party, and if necessary, to introduce evidence, cross-examine witnesses, call and examine witnesses, and be heard in argument. The nature and quality of evidence which this Intervenor will introduce is dependent upon the nature and effect of other evidence in this proceeding.

5. Without the opportunity to intervene herein, this Intervenor would be without any means of participation in this proceeding which may have a material impact on its ability to develop renewable energy projects in Idaho.

6. Granting this Intervenor's petition to intervene will not unduly broaden the issues nor will it prejudice any party to this case.

WHEREFORE, Exergy Development Group of Idaho, LLC, respectfully requests that this Commission grant its Petition to Intervene in these proceedings and to appear and participate in all matters as may be necessary and appropriate; and to present evidence, call and examine witnesses, present argument and to otherwise fully participate in these proceedings.

DATED this 20th day of May 2009.

Richardson & O'Leary, LLP

By 
Peter J. Richardson
Exergy Development Group of Idaho, LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 20th day of May, 2009, a true and correct copy of the within and foregoing PETITION TO INTERVENE BY EXERGY DEVELOPMENT GROUP OF IDAHO, LLC, was served in the manner shown to:

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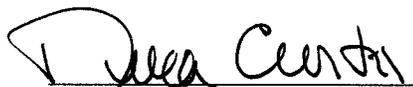
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