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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 LOWER VALLEY ENERGY
("RECS") ASSOCIATED WITH A)
QUALIFYING FACILITY UPON)
PURCHASE BY A UTILITY OF THE)
ENERGY PRODUCED BY A)
QUALIFYING FACILITY

COMES NOW, Lower Valley Energy, Inc, hereinafter referred to as "LVE" or
"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:

Lower Valley Energy, Inc.
c/o Peter J. Richardson
Richardson & O'Leary
515 N. 27th St
P.O. Box 7218
Boise, Idaho 83702
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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 and to:

Jim Webb, General Manager

Lower Valley Energy

PO Box 188

Afton, Wyoming

(307) 885-3175

(307) 885-5787

jim@lvenergy.com

2. This Intervenor, Lower Valley Energy, Inc., is a cooperatively owned non-profit electric utility providing retail service in parts of Wyoming and Idaho. It is also actively developing renewable energy projects in Wyoming and Idaho under PURPA, the output of which is being or will be sold to electric utilities in Idaho. LVE 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.

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

WHEREFORE, LOWER VALLEY ENERGY, INC, 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 9th day of June 2009.

Richardson & O'Leary, LLP

By Pete Richardson
Peter J. Richardson
Attorney for Lower Valley Energy, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 9th day of June, 2009, a true and correct copy of the within and foregoing PETITION TO INTERVENE BY LOWER VALLEY ENERGY, INC was served in the manner shown to:

Ms. Jean Jewell
Commission Secretary
Idaho Public Utilities Commission
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