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ENGINEERING • PLANNING • LAND SURVEYING

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June 2, 2009

IDAHO PUBLIC
UTILITIES COMMISSION

Jean Jewel, Secretary
Idaho Public Utilities Commission
Statehouse Mail
472 West Washington Street
Boise, ID

Re: Case # Avista-E-09-04 Petition for an Order Determining Ownership of Renewable Energy Credit "REC's"

Dear Ms. Jewel:

Please accept this filing as a request for intervention in this case. Avista seeks to have the REC's assigned to the power purchaser. The current avoided cost set for QF's is based upon a natural gas plant without any renewable attributes. The renewable energy credit should accrue to the developer, because the avoided cost does not include any renewable credits. Denying the Award of REC's to the developer will reduce the ability of many canal companies, small farmers and ranchers to develop small hydros on existing canals and ditches. With the recent increase in the avoided costs there is renewed interest in developing these small hydro resources. We support the idea of a declaration of ownership. However, we request that the REC's stay with the developer because the avoided cost model does not include any allowance for renewable energy.

Very truly yours,

David Schuess, P.E.
Schuess & Associates