

# McDevitt & Miller LLP

Lawyers

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Boise, Idaho 83702

IDAHO PUBLIC  
UTILITIES COMMISSION

(208) 343-7500  
(208) 336-6912 (Fax)

Chas. F. McDevitt  
Dean J. (Joe) Miller

February 10, 2009

***Via Hand Delivery***

Jean Jewell, Secretary  
Idaho Public Utilities Commission  
472 W. Washington St.  
Boise, Idaho 83720

Re: *Black Canyon, LLC*  
GNR-E-08-02

Dear Ms. Jewell:

Enclosed for filing in the above matter, please find an original and seven copies of a Petition to Intervene on behalf of Black Canyon LLC.

Kindly return a file stamped copy to me.

Very Truly Yours,

McDevitt & Miller LLP



Dean J. Miller

DJM/hh  
Enclosures

Dean J. Miller (ISB No. 1968)  
McDEVITT & MILLER LLP  
420 West Bannock Street  
P.O. BOX 2564-83701  
Boise, Idaho 83702  
Tel: 208-343-7500  
Fax: 208-336-6912  
[joe@mcdevitt-miller.com](mailto:joe@mcdevitt-miller.com)

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IDAHO PUBLIC  
UTILITIES COMMISSION

*Attorney for Black Canyon LLC*

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE JOINT  
PETITION TO APPROVE A  
STIPULATION TO ADJUST  
PUBLISHED IDAHO AVOIDED COST  
RATES FOR IDAHO POWER  
COMPANY, PACIFICORP, AND  
AVISTA CORPORATION.

**Case No. GNR-E-08-02**

**PETITION TO INTERVENE**

COMES NOW Black Canyon LLC (“Black Canyon”), pursuant to RP 70—75  
and petitions to intervene in the above matter and in support thereof respectfully shows as  
follows, to wit:

1. Black Canyon is a limited liability company organized and existing under the laws of the State of Idaho.
2. Black Canyon is developing a wind power generation facility in Bonneville County, Idaho within Rocky Mountain Power’s service territory.
3. Black Canyon has made substantial progress toward the development, including, among other things, completion of a System Impact Study, Facilities Study and Interconnection Agreement required for interconnection of the generation facility to the electrical system of Rocky Mountain Power.

4. Black Canyon did not formally participate in negotiations leading to the Stipulation on file herein, but its interests were informally represented by the undersigned who also participated on behalf of other parties.
5. Black Canyon intends to seek from Rocky Mountain Power a power purchase agreement pursuant to the Public Utilities Regulatory Practices Act of 1978, and has been awaiting the establishment of current rates for such agreements.
6. Black Canyon would be materially injured by the granting of Rocky Mountain Power's Motion to Continue Decision Implementing Stipulation dated February 5, 2009 and, accordingly, Black Canyon has a direct and substantial interest in this matter.
7. Participation by Black Canyon will not unduly broaden the issues in this proceeding or otherwise delay the proceedings.
8. This Petition to Intervene is timely filed because the Commission has not previously established an intervention deadline.
9. All pleadings, papers, orders and notices should be served upon:

Dean J. Miller  
McDEVITT & MILLER LLP  
P.O. BOX 2564-83701  
420 W. Bannock  
Boise, Idaho 83702  
208.343.7500  
[joe@mcdevitt-miller.com](mailto:joe@mcdevitt-miller.com)

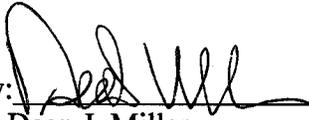
And

Paul Martin  
PO Box 353  
Bolder, CO 80306  
303.442.2109

WHEREFORE Black Canyon respectfully requests that this Petition be granted  
and that Black Canyon be permitted to participate herein with full rights of a party.

DATED this  9  day of February, 2009.

BLACK CANYON LLC

By:  \_\_\_\_\_  
Dean J. Miller  
*Attorney for Black Canyon LLC*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 10<sup>th</sup> day of February, 2009, I caused to be served, via the method(s) indicated below, true and correct copies of the foregoing document, upon:

Jean Jewell, Secretary  
Idaho Public Utilities Commission  
472 West Washington Street  
P.O. Box 83720  
Boise, ID 83720-0074  
[jjewell@puc.state.id.us](mailto:jjewell@puc.state.id.us)

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U.S. Mail  
Fax  
Fed. Express  
Email

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Scott Woodbury  
Idaho Public Utilities Commission  
472 West Washington Street  
P.O. Box 83720  
Boise, ID 83720-0074  
[scott.woodbury@puc.idaho.gov](mailto:scott.woodbury@puc.idaho.gov)

Hand Delivered  
U.S. Mail  
Fax  
Fed. Express  
Email

~~X~~  
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David J. Meyer, Vice President  
Clint Kalich  
Avisita Utilities  
P.O. Box 3727  
1411 E. Mission Ave  
Spokane, WA 99220-3727  
[clint.kalich@avistacorp.com](mailto:clint.kalich@avistacorp.com)  
[david.meyer@avistacorp.com](mailto:david.meyer@avistacorp.com)

Hand Delivered  
U.S. Mail  
Fax  
Fed. Express  
Email

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Mark Moench  
Daniel Solander  
Rocky Mountain Power  
One Utah Center  
201 S. Main Street, Suite 2300  
Salt Lake City, UT 84111  
[daniel.solander@pacificorp.com](mailto:daniel.solander@pacificorp.com)  
[mark.moench@pacificorp.com](mailto:mark.moench@pacificorp.com)

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Fed. Express  
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Peter J. Richardson, Esq.  
Richardson & O'Leary PLLC  
515 N. 27<sup>th</sup> Street (83702)  
P.O. Box 7218  
Boise, ID 83707-1218  
[peter@richardsonandoleary.com](mailto:peter@richardsonandoleary.com)

Hand Delivered  
U.S. Mail  
Fax  
Fed. Express  
Email

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Donovan E. Walker  
Barton L. Kline  
Idaho Power Company  
P.O. Box 70  
1221 W. Idaho Street (83702)  
Boise, ID 83707-0070  
[dwalker@idahopower.com](mailto:dwalker@idahopower.com)  
[bkline@idahopower.com](mailto:bkline@idahopower.com)

Hand Delivered  
U.S. Mail  
Fax  
Fed. Express  
Email

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Idaho Wind Farms LLC  
Glen Ikemoto  
672 Blair Ave.  
Piedmont, CA 94611  
[glenn@pacbell.net](mailto:glenn@pacbell.net)

Hand Delivered  
U.S. Mail  
Fax  
Fed. Express  
Email

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John R. Hammond Jr., Esq.  
Fisher Pusch & Alderman  
US Bank Plaza, 5<sup>th</sup> Floor  
101 South Capital Boulevard  
P.O. Box 1308  
Boise, ID 83701  
[jrh@fpa-law.com.com](mailto:jrh@fpa-law.com.com)

Hand Delivered  
U.S. Mail  
Fax  
Fed. Express  
Email

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BY: Heather Houle, legal asst.  
MCDEVITT & MILLER LLP