



**RICHARDSON & O'LEARY, PLLC**  
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IDAHO PUBLIC  
UTILITIES COMMISSION

8 November 2010

Ms. Jean Jewell  
Commission Secretary  
Idaho Public Utilities Commission  
472 W. Washington  
Boise, ID 83702

RE: GNR-E-10-04

Dear Ms. Jewell:

We are enclosing an original and seven copies of the **PETITION TO INTERVENE OF THE J. R. SIMPLOT COMPANY** in the above case. Would you please file the same

Thank you for your attention to this matter. Please feel free to give me a call if you have any questions.

Sincerely,

Peter J. Richardson  
Richardson & O'Leary PLLC

Peter J. Richardson (ISB # 3195)  
Gregory M. Adams (ISB # 7454)  
Richardson & O'Leary, PLLC  
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Attorneys for the J. R. Simplot Company

BEFORE THE  
IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE JOINT PETITION )	
OF IDAHO POWER COMPANY, AVISTA )	CASE NO. GNR-E-10-04
CORPORATION, AND ROCKY MOUNTAIN )	
POWER TO ADDRESS AVOIDED COST )	PETITION TO INTERVENE
ISSUES AND JOINT MOTION TO ADJUST )	OF THE J. R. SIMPLOT COMPANY
THE PUBLISHED AVOIDED COST RATE )	
ELIGIBILITY CAP. )	
_____ )	

COMES NOW, The J. R. Simplot Company, hereinafter referred to as "Intervenor," or the "Company," 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:

J. R. Simplot Company  
c/o Peter J. Richardson  
Richardson & O'Leary  
515 N. 27<sup>th</sup> St  
P.O. Box 7218  
Boise, Idaho 83702  
Telephone: (208) 938-7901  
Fax: (208) 938-7904  
[peter@richardsonandoleary.com](mailto:peter@richardsonandoleary.com)

Copies of all pleadings, production requests, production responses, Commission orders and other documents should be provided to Peter J. Richardson and Gregory M. Adams as noted above and to:

Don Sturtevant  
Energy Director  
J. R. Simplot Company  
ONE CAPITAL CENTER  
999 Main Street, P.O. Box 27  
Boise, Idaho 83707-0027  
Telephone (208) 389-7306  
Fax: (208) 389-7333  
[Don.sturtevant@simplot.com](mailto:Don.sturtevant@simplot.com)

2. This Intervenor, the J. R. Simplot Company is a corporation duly qualified to do business in the State of Idaho. The J. R. Simplot Company currently has a cogeneration facility at its operations in Pocatello, Idaho. It has a PURPA contract providing for Idaho Power to purchase the output of that plant. That contract that is due to expire soon. The Company plans to obtain a new PURPA contract with Idaho Power for that Pocatello cogeneration facility in the near future. In addition, the Company is pursuing other energy projects on its property in Idaho with the goal of obtaining PURPA contracts with Idaho Power and possibly other utilities. The Company therefore claims a direct and substantial interest in this proceeding in that its ability to make such sales will be affected by the outcome of this proceeding.

3. This Intervenor 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.

4. 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 enter into PURPA contracts in the State of Idaho.

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

**WHEREFORE**, the J. R. Simplot Company 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 8<sup>th</sup> day of November, 2010.

RICHARDSON AND O'LEARY, PLLC

By   
Peter J. Richardson  
J. R. Simplot Company

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 8<sup>th</sup> day of November, 2010, a true and correct copy of the within and foregoing PETITION TO INTERVENE BY the J. R. SIMPLOT COMPANY was served by ELECTRONIC MAIL and US MAIL, to:

Donovan E. Walker  
Lisa Nordstrom  
Idaho Power Company  
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Gregory M. Adams