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Attorneys for the Exergy Development Group of Idaho, LLC

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IDAHO PUBLIC
UTILITIES COMMISSION

BEFORE THE

IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF IDAHO POWER COMPANY'S PETITION TO INCREASE THE PUBLISHED RATE ELIGIBILITY CAP FOR WIND POWERED SMALL POWER PRODUCTION FACTILITIES; and TO ELIMINATE THE 90%/110% PERFORMANCE BAND FOR WIND POWERED SMALL POWERED SMALL POWER PRODUCTION FACILITIES	CASE NO. IPC-E-07-03 PETITION TO INTERVENE OF THE EXERGY DEVELOPMENT GROUP OF IDAHO LLC

COMES NOW, the 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
Richardson & O'Leary
515 N. 27th St
P.O. Box 7218
Boise, Idaho 83702
Telephone: (208) 938-7901
Fax: (208) 938-7904
peter@richardsonandoleary.com

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:

Dr. Don Reading
6070 Hill Road
Boise, Idaho 83703
(208) 342-1700 Tel
(208) 383-0401 Fax
dreading@mindspring.com

2. This Intervenor, the Exergy Development Group of Idaho (Exergy) is an Idaho limited liability corporation. Exergy claims a direct and substantial interest in this proceeding in that it is a developer of wind powered generating projects as well as other types of renewable energy projects the output of which is sold to the Idaho Power Company. Exergy's ability to continue its business in Idaho may 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.

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 continued ability to develop wind powered electric generating projects in the State of 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, the Exergy Development Group of Idaho 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 February 2007.

Richardson & O'Leary, PLLC

By: _____
for Peter J. Richardson
Exergy Development Group of Idaho

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 20th day of February, a true and correct copy of the within and foregoing PETITION TO INTERVENE BY THE EXERGY DEVEOPMENT GROUP OF IDAHO, LLC, was served by U.S. Mail, postage prepaid, to:

Barton Kline
Monica Moen
Idaho Power Company
PO Box 70
Boise, Idaho 83707-0070

And hand-delivered to:

Jean Jewell
Commission Secretary
Idaho Public Utilities Commission
472 West Washington
Boise, Idaho 83702

Nina Curtis
Administrative Assistant