

McDevitt & Miller LLP

Lawyers

RECEIVED

420 W. Bannock Street

P.O. Box 2564-837209

Boise, Idaho 83702

MAR 25 PM 3:51

IDAHO PUBLIC
UTILITIES COMMISSION

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

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

March 25, 2009

Via Hand Delivery

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

**Re: Invenergy Thermal Development LLC
Case No. IPC-E-09-03**

Dear Ms. Jewell:

Enclosed for filing in the above matter, please find the original and seven copies of a Petition to Intervene of Invenergy Thermal Development 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

RECEIVED
2009 MAR 25 PM 3: 51
IDAHO PUBLIC
UTILITIES COMMISSION

Attorney for *Invenergy Thermal Development LLC*

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF IDAHO POWER
COMPANY'S APPLICATION FOR A
CERTIFICATE OF PUBLIC
CONVENIENCE AND NECESSITY FOR
THE LANGLEY GULCH POWER
PLANT.

CASE NO. IPC-E-09-03
PETITION TO INTERVENE OF
INVENERGY THERMAL
DEVELOPMENT LLC

COMES NOW Invenergy Thermal Development LLC (Invenergy) and, pursuant to RP 71—75, Petitions to Intervene in the above matter and in support thereof respectfully shows as follows, to wit:

I.

Invenergy is a limited liability company organized and existing under the laws of the state of Delaware and having its principle place of business at Chicago, Illinois.

II.

Invenergy is a leading clean energy company focused on the development, ownership, operation and management of large-scale electricity generation assets in the North American and European markets. The Company serves a wide range of utilities, load serving entities, energy merchants and industrial customers. Invenergy's electric

generation assets primarily include large scale wind energy and clean natural gas fueled electric generating facilities. Invenergy has approximately 4,000 MW of electric generation under construction or in operation.

III.

Invenergy will be represented in this proceeding by, and all pleadings, papers, notices, orders and discovery documents should be served upon:

Dean J. Miller
McDEVITT & MILLER LLP
P.O. BOX 2564-83701
Boise, Idaho 83702
Phone : (208)-343-7500
Fax : (208)-336-6912
joe@mcdevitt-miller.com

And

William Borders
Assistant General Counsel
Invenergy Thermal Development LLC
One South Wacker Drive, Suite 1900
Chicago, IL 60606
Phone: 312-582-1460
wborders@invenergylc.com
www.Invenergylc.com

IV.

Invenergy submitted a proposal for the construction of the Langley Gulch generation project in response to the Request for Proposals (RFP) described in the Direct Testimony of Idaho Power Company Witness Karl Bokenkamp.

V.

Invenergy has reason to believe that the RFP process was not conducted in a competitive, fair and objective manner but was conducted in a manner that gave preference to Idaho Power Company's Benchmark Resource. Invenergy further has

reason to believe that the proposal submitted by Invenergy was one of the two non-utility proposals selected for the final stage 3 screening, as described in the Direct Testimony of Karl Bokenkamp. If permitted to intervene, Invenergy intends to conduct discovery relating to the fairness of the RFP process and depending on the results thereof, file direct testimony and participate in hearings.

VI.

Based on the foregoing, Invenergy has a direct and substantial interest in this proceeding, which interest is not adequately represented by other parties.

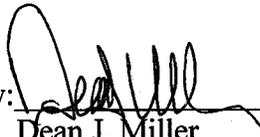
VII.

Invenergy's participation in this proceeding will not unduly broaden the issues in the proceeding or cause undue delay.

WHEREFORE, Invenergy respectfully requests that this Petition be granted and that Invenergy be granted full rights as a party including participating in discovery, filing testimony, appearing at hearings and cross examination of witnesses.

DATED this 25 day of March, 2009.

INVENERGY THERMAL
DEVELOPMENT LLC

By: 

Dean J. Miller
Attorney for Invenergy Thermal
Development LLC.

CERTIFICATE OF SERVICE

I hereby certify that on the 20th day of March, 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

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

Bart Kline, Esq.
Idaho Power
P.O. Box 70
Boise, ID 83702
bkline@idahopower.com

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

Peter J. Richardson
Richardson & O'Leary
515 N. 17th Street
P.O. Box 7218
Boise, ID 83702
peter@richardsonandoleary.com

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

Dr. Don Reading
6070 Hill Road
Boise, ID 83703
dreading@mindspring.com

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

BY: Harper Brule, Legal Assistant
MCDEVITT & MILLER LLP