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2011 AUG 26 AM 10:07
Chas. F. McDevitt
Dean J. (Joe) Miller
IDAHO PUBLIC
UTILITIES COMMISSION

August 25, 2011

Via Hand Delivery

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

**Re: IPC-E-11-08
Hoku Materials, Inc.**

Dear Ms. Jewell:

Enclosed for filing in the above matter, please find an original and seven (7) copies of Hoku Materials, Inc.'s Petition to Intervene Out of Time.

Kindly return a file stamped copy to me.

Very Truly Yours,
McDevitt & Miller LLP

Dean J. Miller
Dean J. Miller *by HJH*

DJM/hh
Encl.

ORIGINAL

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IDAHO PUBLIC
UTILITIES COMMISSION

Attorneys for Hoku Materials, Inc.

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION
OF IDAHO POWER COMPANY FOR
AUTHORITY TO INCREASE ITS RATES
AND CHARGES FOR ELECTRIC SERVICES
IN IDAHO

Case No. IPC-E-11-08

**PETITION OF HOKU
MATERIALS, INC. TO
INTERVENE OUT OF TIME**

COMES NOW Hoku Materials, Inc. (Hoku) pursuant to RP 72-75 and petitions to
intervene in the above matter, and in support thereof, respectfully shows as follows, to wit:

I.

Hoku is a corporation organized and existing under the laws of the State of Delaware and
authorized to conduct business in the State of Idaho.

II.

Hoku is an electric service customer of the Applicant taking service under an Amended
and Restated Electric Service Agreement (ARESA) dated June 19, 2009, between Hoku and the

Applicant. Hoku's facilities are located at Pocatello, Idaho, within Applicant's service area. At such time as Hoku begins receiving the full demand and energy contemplated by the ARESA, Hoku will be the largest retail customer of Applicant. Accordingly, Hoku has a direct and substantial interest in this proceeding.

III.

For some period of time, Hoku has been engaged with Applicant in discussions regarding revisions to the ARESA, and Hoku did not desire to compound those discussions with participation in a general rate proceeding. Hoku, however, has now concluded that the protection of its interests requires participation in this proceeding.

Accordingly, pursuant to RP 73, there was substantial reason for delay in filing this Petition.¹

IV.

Hoku's participation will not cause disruption or prejudice to existing parties and will not unduly broaden the issues. Hoku understands it will be bound by orders and notices previously entered herein, specifically Order No. 32316 which sets forth scheduling for this proceeding.

V.

Hoku desires to participate in this proceeding with full rights of a party to, if necessary, introduce evidence, cross examine and participate in hearings or oral argument.

¹ The Commission has been liberal in granting late-filed Intervention Petitions. See Petitions of Idaho Telephone Association and CTC Telecom, Case No. TFW-T-09-01.

VI.

Hoku will be represented by, and all pleadings, papers, orders and notices should be served upon:

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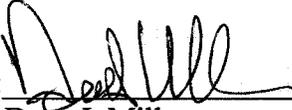
And

Scott Paul, CEO
Hoku Materials, Inc.
One Hoku Way
Pocatello, ID 83204 USA
spaul@hokucorp.com

WHEREFORE, Hoku respectfully requests that this Petition to Intervene be granted.

DATED this 26th day of August, 2011.

HOKU MATERIALS, INC

By: 

Dean J. Miller
Attorney for Hoku Materials, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on the 26th day of August, 2011, I caused to be served, via email and telecopy, a true and correct copy of the foregoing document, upon:

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BY Heather Hule, Legal Asst.