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Attorney for Respondent Idaho Power Company

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IDAHO PUBLIC
UTILITIES COMMISSION

SUP-E-11-03

IN THE SUPREME COURT OF THE STATE OF IDAHO

IN THE MATTER OF THE APPLICATION)	
OF IDAHO POWER COMPANY FOR A)	
DETERMINATION REGARDING THE)	
FIRM ENERGY SALES AGREEMENT FOR)	Supreme Court Docket No. 39151-2011
THE SALE AND PURCHASE OF)	Idaho Public Utilities Commission Nos.
ELECTRIC ENERGY BETWEEN IDAHO)	IPC-E-10-61 and IPC-E-10-62
POWER COMPANY AND GROUSE CREEK)	
WIND PARK, LLC (10-61) AND GROUSE)	
CREEK WIND PARK II, LLC (10-62))	
_____)	IDAHO POWER COMPANY'S
GROUSE CREEK WIND PARK, LLC, and)	PETITION TO INTERVENE AS A
GROUSE CREEK WIND PARK II, LLC,)	PARTY TO THE APPEAL
)	
Petitioners-Appellants,)	
)	
v.)	
)	
PUBLIC UTILITIES COMMISSION,)	
)	
Respondent-Respondents on Appeal,)	
)	
and)	
)	
IDAHO POWER COMPANY,)	
)	
Respondent.)	
_____)	

Respondent, Idaho Power Company (“Idaho Power”), by and through its counsel of record, Donovan E. Walker, and pursuant to I.A.R. 7.1, hereby petitions the Supreme Court of Idaho for leave to intervene as a party to the above-referenced appeal, and that Idaho Power be designated a party to this appeal and proceedings for all purposes under the Idaho Appellate Rules.

I.A.R. 6 states, “In an appeal from a decision or order of the Idaho Public Utilities commission filed by an intervenor in the original proceedings, the petitioner or applicant in the original proceedings shall be made a party to the appeal, and designated as a ‘respondent’.” In addition, I.A.R. 7.1 provides that:

Any person or entity who is a real party in interest to an appeal or proceeding governed by these rules or whose interest would be affected by the outcome of an appeal or proceeding under these rules may file a verified petition with the Supreme Court asking for leave to intervene as a party to the appeal or proceeding

Petitioners-Appellants in the proceeding have filed a Notice of Appeal from the Idaho Public Utilities Commission’s (“IPUC”) Final Order No. 32257 and Final Reconsideration Order No. 32299 in the above-captioned cases. Idaho Power is the applicant for both of these cases in the original proceedings before the IPUC. Each of these cases at the IPUC was initiated by applications filed by Idaho Power asking the IPUC to review and either approve or reject power sales agreements between Idaho Power and the Appellants. In its final orders, the IPUC did not approve the contracts, and thus by the contracts’ terms, they did not become effective.

Idaho Power is a party to each of the contracts that are the subject matter of the original proceedings, as well as of this appeal. Idaho Power is the original applicant for each of these matters in the original proceedings. Idaho Power is a real party in interest to this appeal. Idaho Power’s interests will be affected by the outcome of this appeal. Consequently, Idaho Power

respectfully requests that it either be named and designated as a Respondent on Appeal pursuant to I.A.R. 6 or that it be granted leave to intervene as a party on appeal and designated as a Respondent on Appeal pursuant to I.A.R. 7.1.

Respectfully submitted this 6th day of October 2011.



DONOVAN E. WALKER
Attorney for Idaho Power Company

VERIFICATION

STATE OF IDAHO)
) ss.
County of ADA)

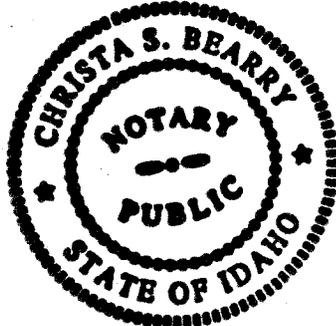
DONOVAN E. WALKER, being first duly sworn upon oath, deposes and says:

I am the attorney of record for Idaho Power Company. I have read the above and foregoing Petition, know and understand the contents thereof, and state that the facts set forth herein are true and correct to the best of my knowledge, information, and belief.



DONOVAN E. WALKER
Attorney for Idaho Power Company

SUBSCRIBED AND SWORN to before me this 6th day of October 2011.



Christa Beary
Notary Public for Idaho
Residing at: Boise, Idaho
My commission expires: 02/04/2015

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6th day of October 201 I served a true and correct copy of IDAHO POWER COMPANY'S PETITON TO INTERVENE AS A PARTY TO THE APPEAL upon the following named parties by the method indicated below, and addressed to the following:

Idaho Public Utilities Commission
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Donovan E. Walker