

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1442

In the Matter of the)	
)	
PUBLIC UTILITY COMMISSION OF)	PETITION TO INTERVENE of Co-Gen
OREGON)	II, LLC and Waiver of Paper Service
)	
Investigation to Determine if Pacific)	
Power's Rate Revision has been)	
Consistent with the Methodologies and)	
Calculations Required by Order No. 05-)	
584)	

Pursuant to ORS § 756.525 and OAR § 860-012-0001, Co-Gen II, LLC (“Co-Gen II”) hereby submits this Petition to Intervene in the above-captioned proceeding and seeks party status as provided in OAR § 860-011-0035(7). In support of this Petition, Co-Gen II states as follows:

1. The name and address of Co-Gen II as a party of record in this proceeding is:

Co-Gen II, LLC
P.O. Box 66
1991 Pruner Road
Riddle, Oregon 97469

All documents related to this proceeding should be served on Co-Gen II's representative and attorney at the following addresses:

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Co-Gen II, LLC
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1991 Pruner Road
Riddle, Oregon 97469
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2. Co-Gen II owns a cogeneration facility that uses sawmill waste to produce electrical energy and steam heat for the D.R. Johnson Lumber Company facility in Riddle, Oregon. The Co-Gen II facility is a Qualifying Facility under the Public Utility Regulatory Policies Act., 16 U.S.C. 2601, *et seq.*

3. The net electrical output of the Co-Gen II facility is sold to PacifiCorp under a Power Purchase Agreement that terminates on December 31, 2009. The Power Purchase Agreement obligates PacifiCorp to pay for the net output of the Co-Gen II facility at rates consistent with PacifiCorp's Schedule 37, Avoided Cost Purchases from Qualifying Facilities (10,000 KW or less).

4. Co-Gen II intends to continue to sell the net output of the Co-Gen II facility to PacifiCorp after December 31, 2009.

5. On July 9, 2009, PacifiCorp filed a request to revise the Schedule 37 rates that it pays for power from Qualifying Facilities under the terms of its Standard Avoided Cost Power Purchase Agreement. The Commission opened this proceeding and hearing to determine whether the requested rate revisions are consistent with Commission Order 05-584.

6. As a seller of power to PacifiCorp under rates established by PacifiCorp's Schedule 37, Co-Gen II will be impacted by any outcome in this proceeding. Co-Gen II therefore has a direct and substantial interest in this proceeding. No other party can adequately

represent Co-Gen II's interest and Co-Gen II will be affected by any Commission determination made in this proceeding.

7. Co-Gen II's participation in this proceeding will assist the Commission in resolving the issues, and will not unreasonably broaden the issues, unduly burden the record, or delay the proceeding.

8. Co-Gen II waives paper service of documents in this proceeding.

9.

WHEREFORE, Co-Gen II respectfully requests leave to intervene and requests all the rights of a party in this proceeding.

Dated this 15th day of September, 2009.

Respectfully submitted,

/s/ Thomas M. Grim
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