

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE APPLICATION BY)
BASIN ELECTRIC POWER COOPERATIVE)
FOR AN ENERGY CONVERSION FACILITY)
PERMIT FOR THE DEER CREEK STATION)
PROJECT COMBINED-CYCLE NATURAL GAS)
ENERGY CONVERSION FACILITY AND)
ASSOCIATED INFRASTRUCTURE, INCLUDING)
A WATER SUPPLY SYSTEM AND ELECTRIC)
TRANSMISSION SYSTEM)

DOCKET NUMBERS
EL09-015 & HP09-002

**PETITION
FOR INTERVENTION**

IN THE MATTER OF THE APPLICATION BY)
BASIN ELECTRIC POWER COOPERATIVE,)
INC. FOR AN ENERGY CONVERSION FACILITY)
SITING PERMIT FOR A NATURAL GAS)
PIPELINE TO SUPPORT THE DEER CREEK)
STATION PROJECT)

Pursuant to SDCL 49-41B-17(3) and ARSD 20:10:01:15.02, Iberdrola Renewables (Iberdrola) by its undersigned counsel Petitions the South Dakota Public Utilities Commission for an Order granting Intervention in the above captioned dockets.

1. Iberdrola Renewables is a wind energy company with existing towers and production as well as permits to construct more in the vicinity of the proposed permit areas.
2. The applicant proposed to construct an electricity producing plant within the Iberdrola permitted areas and will not only build but also utilize existing electric plant assets in the area. Iberdrola has use of some of those assets as well and thus has an interest in the outcome of this matter.
3. Iberdrola is an interested person in the docket.
- 4.. Iberdrola believes that the issues presented in the application's directly affects the interests of not only Iberdrola but also its landowner partners. Iberdrola requests that the

Commission fully examine the applications in this docket in a manner that does not result in an erosion of Iberdrola's interests and the interests of its landowner partners. The erosion of their interests could be detrimental to Iberdrola and to many South Dakota citizens living in the affected areas.

5. Permitting and construction will alter the landscape and thus perhaps Iberdrola's plans to develop its assets in the immediate vicinity.

6. The issues presented in this docket and the Intervention requested herein constitutes a matter of public interest, especially to the preservation and integrity of the business and property interests of Iberdrola. Denial of this Petition would be detrimental to the public interest and would be likely to result in miscarriage of justice.

WHEREUPON Iberdrola requests that the Commission permit its Intervention and allow its participation in this proceeding as a party, including the examination, cross-examination of witnesses, the conduct of discovery and the offering of evidence on its own behalf.

Dated this 31 day of August, 2009.

MAY, ADAM, GERDES & THOMPSON LLP

BY: 

BRETT KOENECKE

JUSTIN L. BELL

Attorneys for Iberdrola Renewables
503 South Pierre Street
P.O. Box 160
Pierre, SD 57501
(605) 224-8803