

CHAD M. STOKES

[CSTOKES@CABLEHUSTON.COM](mailto:CSTOKES@CABLEHUSTON.COM)  
[www.cablehuston.com](http://www.cablehuston.com)

April 24, 2013

**VIA ELECTRONIC FILING & US MAIL**

Oregon Public Utility Commission  
Attn: Filing Center  
550 Capitol St. NE #215  
PO Box 2148  
Salem, OR 97308-2148

Re: In the Matter of Oregon Public Utility Commission of Oregon,  
Investigation into Qualifying Facility Contracting and Pricing.  
**Docket No. UM-1610**

Dear Filing Center:

Enclosed please find an original and one copy of the Petition to Intervene Out of Time of Obsidian Renewables, LLC, in the above-referenced docket.

Thank you for your assistance with this matter. Should you have any questions, please call.

Very truly yours,

/s/ Chad M. Stokes

Chad M. Stokes

CMS:tjb  
Enclosures  
cc: UM-1610 Service List (via electronic delivery)

4820-8449-4099, v. 1

**BEFORE THE PUBLIC UTILITY COMMISSION**

**OF OREGON**

**UM 1610**

In the Matter of )  
 )  
PUBLIC UTILITY COMMISSION OF ) PETITION TO INTERVENE OUT OF  
OREGON, ) TIME OF OBSIDIAN RENEWABLES,  
 ) LLC  
 )  
Investigation Into Qualifying Facility )  
Contracting and Pricing )

Pursuant to ORS § 756.525 and OAR § 860-001-0300(2), Obsidian Renewables, LLC (“Obsidian”) petitions the Public Utility Commission of Oregon (“Commission”) to intervene out of time in this proceeding with full party status as described in OAR § 860-001-0010(7). Obsidian waives paper service of all non-confidential filings. In support of this petition, Obsidian provides the following information:

1. The name and address of Obsidian Intervenor is:

David Brown  
Obsidian Renewables, LLC  
5 Centerpointe Drive, Suite 590  
Lake Oswego, OR 97035  
[dbrown@obsidianfinance.com](mailto:dbrown@obsidianfinance.com)  
Phone No.: (503) 245-8800

Todd Gregory, Vice-President  
Obsidian Renewables, LLC  
5 Centerpointe Drive, Suite 590  
Lake Oswego, OR 97035  
[tgregory@obsidianrenewables.com](mailto:tgregory@obsidianrenewables.com)  
Phone No.: (503) 542-8872

///

///

///

///

///

///

///

2. The names and addresses of the attorneys representing Obsidian are:

Chad M. Stokes  
Larry Cable  
Cable Huston Benedict Haagensen  
& Lloyd LLP  
1001 SW Fifth Avenue, Suite 2000  
Portland, OR 97204-1136  
(503) 224-3092 (Telephone)  
(503) 224-3176 (Fax)  
Email: [cstokes@cablehuston.com](mailto:cstokes@cablehuston.com)  
[lcable@cablehuston.com](mailto:lcable@cablehuston.com)

3. Obsidian is an Oregon limited liability company that is in the business of developing renewable power generating facilities.

4. Obsidian has a direct interest in the terms and conditions by which investor-owned utilities in Oregon must purchase power from qualifying small power production facilities (“QFs”) under the Public Utility Regulatory Policies Act (“PURPA”).

5. The Commission has opened this UM-1610 proceeding to investigate the rates, terms and conditions of QF power sales in Oregon.

6. On December 21, 2012 Chief ALJ Grant adopted a schedule in Phase I of this docket. The specific issues that Obsidian is interested in are already designated on the issues list circulated by Chief ALJ Grant. Obsidian’s participation in this proceeding at this stage will not unreasonably broaden the issues, burden the record, or delay this proceeding.

7. Although the Commission prefers to have parties intervene prior to the prehearing conference, ORS § 756.525(2) allows any person to apply for permission to

appear and participate prior to the final taking of evidence. This proceeding is still in the first phase of a multi-phase investigation. It is well before the final evidence is taken.

8. Obsidian has a substantial interest in this proceeding that is not adequately represented by any other party. Obsidian's interest in this proceeding may be affected by any Commission determination made in connection with these proceedings.

9. It is in the public interest to allow Obsidian to intervene in this proceeding.

WHEREFORE, Obsidian respectfully requests that the Commission grant its petition to intervene with full party status in this proceeding.

DATED this 24<sup>th</sup> day of April, 2013.

/s/ Chad M. Stokes

---

Chad M. Stokes, OSB No. 004007  
J. Laurence Cable, OSB No. 710355  
Cable Huston Benedict Haagensen  
& Lloyd LLP  
1001 SW Fifth Avenue, Suite 2000  
Portland, OR 97204-1136  
(503) 224-3092 (Telephone)  
(503) 224-3176 (Fax)  
[cstokes@cablehuston.com](mailto:cstokes@cablehuston.com)  
[lcable@cablehuston.com](mailto:lcable@cablehuston.com)

Of Attorneys for  
Obsidian Renewables, LLC

**CERTIFICATE OF SERVICE**

I hereby certify that I caused to be served the foregoing **PETITION TO INTERVENE OUT OF TIME OF OBSIDIAN RENEWABLES, LLC** via electronic mail and, where paper service is not waived, via postage-paid first class mail upon the following parties of record:

**PACIFIC POWER**

Mary Wiencke  
R. Bryce Dalley  
825 NE Multnomah St., Ste 1800  
Portland, OR 97232-2149  
[Mary.wiencke@pacificorp.com](mailto:Mary.wiencke@pacificorp.com)  
[Bryce.dalley@pacificorp.com](mailto:Bryce.dalley@pacificorp.com)

**PORTLAND GENERAL ELECTRIC**

J. Richard George (C)  
121 SW Salmon ST - 1WTC1301  
Portland OR 97204  
[richard.george@pgn.com](mailto:richard.george@pgn.com)

**LOYD FERY**

11022 Rainwater Lane SE  
Aumsville OR 97325  
[dlchain@wvi.com](mailto:dlchain@wvi.com)

**OREGON DEPARTMENT OF ENERGY**

Matt Krumenauer  
Kacie Brockman  
625 Marion ST NE  
Salem OR 97301  
[matt.krumenauer@state.or.us](mailto:matt.krumenauer@state.or.us)  
[Kacie.brockman@state.or.us](mailto:Kacie.brockman@state.or.us)

**ASSOCIATION OF OREGON COUNTIES**

Mike McArthur  
PO BOX 12729  
Salem OR 97309  
[mmcarthur@aocweb.org](mailto:mmcarthur@aocweb.org)

**PUBLIC UTILITY COMMISSION OF OREGON**

Brittany Andrus  
Adam Bless  
P.O. Box 2148  
Salem, OR 97308-2148  
[Brittany.andrus@state.or.us](mailto:Brittany.andrus@state.or.us)  
[Adam.bless@state.or.us](mailto:Adam.bless@state.or.us)

**PACIFICORP, DBA PACIFIC POWER**

Oregon Dockets  
825 NE Multnomah St., Ste 2000  
Portland, OR 97232  
[oregondockets@pacificorp.com](mailto:oregondockets@pacificorp.com)

**THOMAS H. NELSON**

PO Box 1211  
Welches OR 97067-1211  
[nelson@thnelson.com](mailto:nelson@thnelson.com)

**ANNALA, CAREY, BAKER, PC**

Will K. Carey  
PO Box 325  
Hood River OR 97031  
[wcarey@hoodriverattorneys.com](mailto:wcarey@hoodriverattorneys.com)

**CITIZENS UTILITY BOARD OF OREGON**

OPUC Dockets  
Robert Jenks  
G. Catriona McCracken  
610 SW Broadway, STE 400  
Portland OR 97205  
[dockets@oregoncub.org](mailto:dockets@oregoncub.org); [bob@oregoncub.org](mailto:bob@oregoncub.org)  
[catriona@oregoncub.org](mailto:catriona@oregoncub.org)

**CITY OF PORTLAND-  
PLANNING AND SUSTAINABILITY**

David Tooze  
1900 SW 4TH STE 7100  
Portland OR 97201  
[david.tooze@portlandoregon.gov](mailto:david.tooze@portlandoregon.gov)

**EXELON BUSINESS SERVICES**

Paul D. Ackerman  
100 Constellation Way, Suite 500C  
Baltimore, MD 21202  
[Paul.ackerman@constellation.com](mailto:Paul.ackerman@constellation.com)

Paul Harvey  
4601 Westown Parkway, Suite 300  
West Des Moines, IA 50266  
[John.harvey@exeloncorp.com](mailto:John.harvey@exeloncorp.com)

**ENERGY TRUST OF OREGON**

Elaine Prause  
John Volkman  
421 SW Oak ST #300  
Portland OR 97204-1817  
[elaine.prause@energytrust.org](mailto:elaine.prause@energytrust.org)  
[john.volkman@energytrust.org](mailto:john.volkman@energytrust.org)

**IDAHO POWER COMPANY**

Donovan E Walker  
Regulatory Dockets  
PO Box 70  
Boise, ID 83707-0070  
[dockets@idahopower.com](mailto:dockets@idahopower.com)  
[dwalker@idahopower.com](mailto:dwalker@idahopower.com)

**LOVINGER KAUFMANN LLP**

Kenneth Hoffman  
Jeffrey S. Lovinger  
825 NE Multnomah Ste 925  
Portland OR 97232-2150  
[kaufmann@lklaw.com](mailto:kaufmann@lklaw.com)  
[lovinger@lklaw.com](mailto:lovinger@lklaw.com)

**CLEANTECH LAW PARTNERS , PC**

Diane Henkels  
6228 SW Hood  
Portland OR 97239  
[dhenkels@cleantechlawpartners.com](mailto:dhenkels@cleantechlawpartners.com)

**DAVISON VAN CLEVE**

Irion A Sanger (C)  
Melinda Davison (C)  
S. Bradley VanCleve ©  
333 SW Taylor - Ste 400  
Portland OR 97204  
[ias@dvclaw.com](mailto:ias@dvclaw.com);  
[mjd@dvclaw.com](mailto:mjd@dvclaw.com)  
[bvc@dvclaw.com](mailto:bvc@dvclaw.com)

**ESLER STEPHENS & BUCKLEY**

John W Stephens  
(C) 888 SW Fifth AVE Ste 700  
Portland OR 97204-2021  
[stephens@eslerstephens.com](mailto:stephens@eslerstephens.com);  
[mec@eslerstephens.com](mailto:mec@eslerstephens.com)

**SMALL BUSINESS UTILITY  
ASSOCIATES**

James Birkelund  
548 Market ST Ste 11200  
San Francisco CA 94104  
[james@utilityadvocates.org](mailto:james@utilityadvocates.org)

**MCDOWELL RACKNER & GIBSON PC**

Adam Lowney  
Lisa F. Rackner  
419 SW 11TH AVE, Ste 400  
Portland OR 97205  
[adam@mcd-law.com](mailto:adam@mcd-law.com)  
[dockets@mcd-law.com](mailto:dockets@mcd-law.com)

**NORTHWEST ENERGY SYSTEMS  
COMPANY LLC**

Daren Anderson  
1800 NE 8TH ST., Ste 320  
Bellevue WA 98004-1600  
[da@thenescogroup.com](mailto:da@thenescogroup.com)

**OREGON DEPARTMENT OF  
JUSTICE**

Renee M. France  
Natural Resources Section  
1162 Court ST NE  
Salem OR 97301-4096  
[renee.m.france@doj.state.or.us](mailto:renee.m.france@doj.state.or.us)

**OREGONIANS FOR RENEWABLE  
ENERGY POLICY**

Kathleen Newman  
1553 NE Greensword DR  
Hillsboro OR 97214  
[k.a.newman@frontier.com](mailto:k.a.newman@frontier.com)  
[kathleenhoipl@frontier.com](mailto:kathleenhoipl@frontier.com)

**REGULATORY &  
COGENERATION SERVICES, INC**

Donald W. Schoenbeck  
900 Washington ST Ste 780  
Vancouver WA 98660-3455  
[dws@r-c-s-inc.com](mailto:dws@r-c-s-inc.com)

**PORTLAND GENERAL ELECTRIC**

Randy Tinker  
121 SW Salmon ST - 1WTC0702  
Portland OR 97204  
[pge.opuc.filings@pgn.com](mailto:pge.opuc.filings@pgn.com)

**RENEWABLE NORTHWEST  
PROJECT**

RNP Dockets  
Megan Walseth Decker  
421 SW 6TH AVE., Ste. 1125  
Portland OR 97204  
[dockets@rnp.org](mailto:dockets@rnp.org)  
[megan@rnp.org](mailto:megan@rnp.org)

**ONE ENERGY RENEWABLES**

Bill Eddie  
206 NE 28TH AVE  
Portland OR 97232  
[bill@oneenergyrenewables.com](mailto:bill@oneenergyrenewables.com)

**OREGON SOLAR ENERGY  
INDUSTRIES ASSOCIATION**

Glenn Montgomery  
PO BOX 14927  
Portland OR 97293  
[glenn@oseia.org](mailto:glenn@oseia.org)

**OREGONIANS FOR RENEWABLE  
ENERGY POLICY**

Mark Pete Pengilly  
PO BOX 10221  
Portland OR 97296  
[mpengilly@gmail.com](mailto:mpengilly@gmail.com)

**STOLL BERNE**

David A Lokting  
209 SW Oak Street, Suite 500  
Portland OR 97204  
[dlokting@stollberne.com](mailto:dlokting@stollberne.com)

**RENEWABLE ENERGY COALITION**

John Lowe  
12050 SW Tremont ST  
Portland OR 97225-5430  
[jravenesanmarcos@yahoo.com](mailto:jravenesanmarcos@yahoo.com)

**RICHARDSON AND O'LEARY**

Gregory M. Adams  
Peter J. Richardson  
PO BOX 7218  
Boise ID 83702  
[greg@richardsonandoleary.com](mailto:greg@richardsonandoleary.com)  
[peter@richardsonandoleary.com](mailto:peter@richardsonandoleary.com)

**ROUSH HYDRO INC**

Toni Roush  
366 E Water  
Stayton OR 97383  
[tmroush@wvi.com](mailto:tmroush@wvi.com)

**PUBLIC UTILITY COMMISSION**

**STAFF--DEPT OF JUSTICE**

Stephanie S. Andrus  
Business Activities Section  
1162 Court ST NE  
Salem OR 97301-4096  
[stephanie.andrus@state.or.us](mailto:stephanie.andrus@state.or.us)

Dated in Portland, Oregon, this 24<sup>th</sup> day of April, 2013.

/s/ Chad M. Stokes

Chad M. Stokes, OSB No. 004007  
J. Laurence Cable, OSB No. 710355  
Cable Huston Benedict Haagensen & Lloyd LLP  
1001 SW Fifth Avenue, Suite 2000  
Portland, OR 97204-1136  
(503) 224-3092 (Telephone)  
(503) 224-3176 (Fax)  
[cstokes@cablehuston.com](mailto:cstokes@cablehuston.com)  
[lcable@cablehuston.com](mailto:lcable@cablehuston.com)

Of Attorneys for  
Obsidian Renewables, LLC

4825-8926-2611, v. 2