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November 22, 2017

***VIA ELECTRONIC FILING  
AND OVERNIGHT DELIVERY***

Wyoming Public Service Commission  
2515 Warren Avenue, Suite 300  
Cheyenne, Wyoming 82002

Attn: Chris Petrie, Chief Counsel

Docket No. 20000-520-EA-17  
Record No. 14781

**RE: IN THE MATTER OF THE APPLICATION OF ROCKY MOUNTAIN POWER FOR CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY AND NONTRADITIONAL RATEMAKING FOR WIND AND TRANSMISSION FACILITIES – Opposition to BP America Production Company’s Petition to Intervene**

Dear Mr. Petrie:

Please find enclosed Rocky Mountain Power’s response in opposition to BP America Production Company’s Petition for and Notice of Intervention.

Please contact Stacy Splittstoesser at (307) 632-2677 if you have any questions.

Sincerely,

Joelle R. Steward  
Vice President, Regulation

Enclosure

cc: Service List

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*Attorneys for Rocky Mountain Power*

**BEFORE THE WYOMING PUBLIC SERVICE COMMISSION**

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IN THE MATTER OF THE APPLICATION OF	)	
ROCKY MOUNTAIN POWER FOR	)	
CERTIFICATES OF PUBLIC CONVENIENCE	)	
AND NECESSITY AND NONTRADITIONAL	)	Docket No. 20000-520-EA-17
RATEMAKING FOR WIND AND	)	(Record No. 14781)
TRANSMISSION FACILITIES	)	

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**ROCKY MOUNTAIN POWER’S RESPONSE IN OPPOSITION TO BP AMERICA  
PRODUCTION COMPANY’S PETITION FOR AND NOTICE OF INTERVENTION**

Rocky Mountain Power (“RMP”), by and through its undersigned counsel, Hickey & Evans, LLP, submits its Response In Opposition to BP America Production Company’s (“BP”)

Petition for and Notice of Intervention to the Public Service Commission of Wyoming (“Commission”). In support, RMP states as follows:

1. BP’s Petition and Notice of Intervention (“Petition”) should be denied because the Petition is untimely and BP has not shown that it has a sufficient interest in this proceeding to justify its participation as a party.

2. BP filed its Petition on November 14, 2017, some three months after the deadline for interventions established by the Commission. BP states that it is the owner of certain mineral interests in lands upon which RMP proposes to site transmission facilities that are the subject of RMP’s application in this proceeding. BP further states that its ability to develop its mineral interests may be affected by RMP’s construction of transmission facilities. BP also claims that it did not receive notice of RMP’s application from the Commission or from RMP and that it instead received information about this proceeding from an unidentified landowner who received notice pursuant to W.S. § 37-2-205(e).

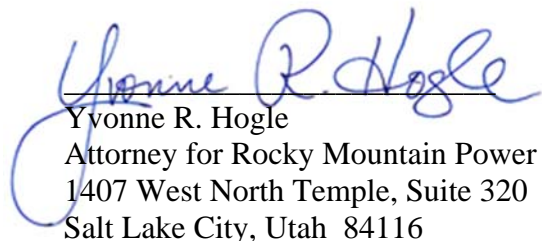
3. BP’s Petition is untimely and there is no just cause for BP’s failure to timely file its Petition. The Commission issued its Notice of Application (“Notice”) in this docket on July 17, 2017. The Notice established August 14, 2017 as the deadline for intervention. On information and belief, the Notice was published as required by W.S. § 37-2-205(e). Therefore, as a matter of law, BP had timely notice, by publication, of these proceedings. Moreover, RMP’s Application and the existence of proceedings before the Commission related to RMP’s Application have been the subject of extensive news coverage in Wyoming and were widely known in the Wyoming energy industry generally. BP’s failure to timely file its Petition cannot fairly be attributed to a lack of notice of these proceedings or of the deadline for intervention established by the Commission. There is not good cause for BP’s failure to timely file its Petition.

4. Any impact construction of the proposed RMP transmission facilities may have on BP's ability to develop its mineral interests is entirely speculative. While it can be fairly presumed that the surface landowner will be affected by the construction of transmission facilities upon his lands, the same is not true for the owners of mineral interests. The same presumption cannot be made with respect to the owner of underlying mineral interests, whose rights extend no farther than access to and use of the surface reasonably necessary to permit development of the mineral interest. Whether and to what extent, if at all, BP's ability to develop its mineral interests may be affected by construction of RMP transmission facilities is speculative and cannot therefore properly support granting BP's untimely intervention in this proceeding. Moreover, to the extent some conflict between BP and RMP might arise in the future, such a conflict would not be a matter within the Commission's jurisdiction in any event.

WHEREFORE Rocky Mountain Power respectfully requests that the Commission deny BP America Production Company's Petition for and Notice of Intervention for the reasons that it was not timely filed and because it fails to demonstrate that BP America Production Company has a sufficient interest in these proceedings to support its participation as a party.

DATED this 22<sup>nd</sup> day of November, 2017.

Respectfully submitted,  
ROCKY MOUNTAIN POWER



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**WYOMING PUBLIC SERVICE COMMISSION**

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