



OFFICE OF ADMINISTRATIVE HEARINGS

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August 2, 2005

Mr. William W. Binek
Hearing Administrator
Public Service Commission
600 East Boulevard Avenue, Dept. 408
Bismarck, ND 58505-0480



Re: PU-05-47
PPM Energy, Inc.
Rugby Wind Farm – Pierce County
Siting Application
OAH File No. 20050268

PU-05-305
PPM Energy, Inc.
230kV Transmission Line
Siting Application

Dear Mr. Binek:

Enclosed, please find an envelope which I received today, along with enclosed letter, other documents, articles, and photographs from JT and Roberta McIntire. I am unable to read very much of the contents of the letter but it is apparently related to the hearing on the above matter in Rugby on Friday, July 29, 2005. She also encloses a typed letter to Annette Bendish. Although the McIntires did not offer any exhibits at the hearing and did not ask the Commission permission to late file exhibits at the hearing, they are apparently asking the Commission to consider the information enclosed in the envelope as evidence for the hearing. I can not recommend that the Commission do so because it was not offered at, or referred to at the hearing, and PPM has had no opportunity to see it, discuss it, or rebut it.

I am forwarding the envelope with its contents to the Commission because the Commission is the final decision maker in this matter. I closed the hearing on Friday. I closed our file on this matter today and my involvement as procedural hearing officer has ceased. This matter remains open for the Commission's final decision, after PPM's filing of proposed findings and conclusions and a proposed order on its two applications. Of course, the Commission could consider the information I am forwarding from the McIntires, but, again, I would not recommend doing so, at least not without giving PPM an opportunity to see it and respond.

Sincerely,

Allen C. Hoberg
Administrative Law Judge

ACH/eap

cc: JT and Roberta McIntire
Mr. Lawrence Bender
Pearce & Durick