

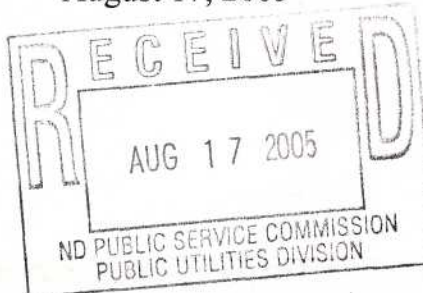


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August 17, 2005



**HAND DELIVERED**

Ms. Illona Jeffcoat-Sacco  
Executive Director and  
Director of Public Utilities  
ND Public Service Commission  
600 East Boulevard, Dept. 408  
Bismarck, ND 58505-0840

**RE: PPM ENERGY, INC.  
CASE NO. PU-05-47  
CASE NO. PU-05-305**

Dear Ms. Jeffcoat-Sacco:

Thank you for your letters of August 3, 2005 and August 11, 2005 forwarding to me the correspondence the North Dakota Public Service Commission ("Commission") has received from Mr. and Mrs. J. T. McIntire.

In your letter, you indicated that the information provided to the Commission by the McIntires is being provided to me as counsel for PPM Energy, Inc. in the above captioned matters in accordance with the provisions of Section 28-32-25 of the North Dakota Century Code. As you know, that provision of the North Dakota Administrative Practices Act authorizes an administrative agency to avail itself of "competent and relevant information or evidence in its possession or furnished by members of its staff, or secured from any person in the course of an independent investigation conducted by the agency, in addition to the evidence presented at the hearing."

We agree with your statement that the information provided to the Commission by the McIntires does not fall neatly into the category of "public input". Likewise, PPM does not believe that it falls neatly into the category of information or evidence the Commission is authorized to consider under the provisions of Section 28-32-25. The above captioned matters were duly noticed for hearing in accordance with North Dakota law. The McIntires appeared at the hearing and were given all the time they desired to present information and

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evidence to the Commission concerning PPM's proposed Rugby Wind Farm and Transmission Line. PPM fully understands (as I am sure the Commission does as well) that the McIntires oppose PPM's Rugby Wind Farm. It seems clear that the two letters (along with the numerous attachments) which the McIntires have submitted to the Commission subsequent to the July 29, 2005 hearing are nothing more than an expression of continued opposition to the proposed Rugby Wind Farm.

In that regard, even though the record in the above captioned matters have been closed (except for the filing of late filed exhibits as ordered by Administrative Law Judge Hoberg) and even though the provisions of Section 28-32-25 are probably not applicable, PPM has no objection to the above referenced documents submitted by the McIntires to the Commission being made a part of the record for the limited purpose of demonstrating the McIntire's continue to object to PPM's applications.

Should you have any questions, please advise.

Sincerely,



LAWRENCE BENDER

LB/dlb

cc: Mr. William Binek  
Mr. Raimund D. Grube  
Mr. and Mrs. J. T. McIntire