



OFFICE OF ADMINISTRATIVE HEARINGS

STATE OF NORTH DAKOTA
1707 North 9th Street
Bismarck, North Dakota 58501-1882

Allen C. Hoberg
DIRECTOR

September 5, 2007

701-328-3260
Fax 701-328-3254
oah@state.nd.us
www.nd.gov/oah

Mr. William W. Binek
Chief Counsel
Public Service Commission
600 East Boulevard Avenue, Dept. 408
Bismarck, ND 58505



Dear Mr. Binek:

Thank you for your September 4, 2007, request of the designation of an administrative law judge from the Office of Administrative Hearings to conduct a hearing in the matter of Capital Electric Cooperative, Inc. vs. Montana Dakota Utilities Co. Promontory Point III. I hereby designate Al Wahl to be assigned as an administrative law judge to conduct the hearing in regard to this matter. Because the administrative law judge will not be making recommended findings of fact and conclusions of law, or issuing a recommended order, the person or persons who will be making the final administrative decision in regard to this matter (*i.e.* commission) must be in attendance at the hearing.

Please send all additional relevant documents (correspondence, and other pleadings and documents) to the designated administrative law judge in care of the Office of Administrative Hearings, 1707 North 9th Street, Bismarck, North Dakota 58501-1882. I understand the hearing is scheduled for November 19, 2007, beginning at 9:00 a.m., in the Commission Hearing Room at the State Capitol, 600 East Boulevard Avenue, Bismarck, North Dakota. Because the administrative law judge is requested to conduct the hearing only, the agency must give proper notice of the hearing.

Your request has been assigned OAH File No. 20070328. Please include this number on all future documents and correspondence filed for this matter with the Office of Administrative Hearings.

Sincerely,

Allen C. Hoberg
Director

ACH/lmw

cc: Mr. Al Wahl
Administrative Law Judge
Mr. Dan Kuntz
MDU Resources Group
Ms. Carol Larson
Counsel for Capital Electric Cooperative, Inc.
Mr. Jerome C. Kettleson
Counsel for Montana Dakota Utilities Co.