

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

Public Service Commission  
Federal 2005 Energy Policy Act Standards  
Investigation

Case No. PU-06-290

AFFIDAVIT OF SERVICE BY ORDINARY AND E-MAIL

STATE OF NORTH DAKOTA  
COUNTY OF BURLEIGH

**Sandra Scott** deposes and says that:

she is over the age of 18 years and not a party to this action and, on the **27th day of July, 2006**, she deposited in the United States Mail, Bismarck, North Dakota, envelopes by first class mail, fully prepaid, securely sealed, each containing a photocopy of:

**ORDER OPENING INVESTIGATION AND NOTICE OF WORKSHOP**

The envelopes were addressed as follows:

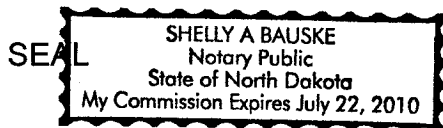
***See Attached List***

Each address shown is the respective addressee's last reasonably ascertainable post office address.

*Sandra L Scott*

Subscribed and sworn to before me  
this **27th day of July, 2006**.

*Shelly A Bauske*  
Notary Public



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PUBLIC SERVICE COMMISSION**

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**ORDER OPENING INVESTIGATION AND  
NOTICE OF WORKSHOP**

**July 26, 2006**

On August 8, 2005 the federal Energy Policies Act of 2005 (Act) was enacted. Subtitle E of the electricity title (Title XII) of the Act amends the Public Utility Regulatory Policies Act of 1979 (PURPA) to require each state regulatory authority to consider adopting certain specified energy policy standards.

Section 1251 of the Act amends PURPA to require that states conduct an investigation and issue a decision whether to adopt three new standards:

1. A net metering standard that would require electric utilities to make net metering available to customers upon request;
2. A fuel sources standard that would require each utility to develop a plan to minimize dependence on one fuel source and insure use of a diverse range of fuels and technologies, including renewables; and
3. A fossil fuel efficiency standard that would require each utility to develop a 10-year plan to increase the efficiency of its fossil fuel generation.

Proceedings under section 1251 are to be started within two years and completed within three years after enactment of the Act.

Section 1252 of the Act amends PURPA to require that states conduct an investigation and issue a decision whether to require utilities to install time-based meters that would enable, but not require, each customer to participate in time-of-use rates and demand response programs. Proceedings are to be started within one year and completed within two years after enactment.

Section 1254 of the Act amends PURPA to require that states consider adopting new standards for grid interconnection based on IEEE Standard 1547 for Interconnecting Distributed Resources with Electric Power Systems. Proceedings are to be started within one year and completed within two years after enactment.

**Order**

The Commission Orders that an investigation is opened to consider whether to propose rules to adopt any or all of the new PURPA standards suggested under sections 1251, 1252 or 1254 of the Act.

## Notice of Workshop

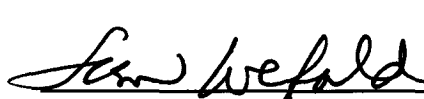
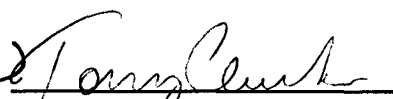

A workshop will begin **on October 23, 2006 at 10 a.m. CDT** in Room 302 of the Judicial Wing, State Capitol, Bismarck, ND 58505. The issues to be considered are:

1. Whether the Commission should adopt any or all of the standards under sections 1251, 1252 or 1254 of the Act;
2. Whether the Commission should adopt different or modified standards from those described in sections 1251, 1252 or 1254 of the Act; and,
3. What compensation, if any, should be made available to consumers under PURPA section 122 for their reasonable expenses incurred by participating or intervening in this proceeding.

Those interested are encouraged to **comment in writing prior to October 6, 2006**, but prior written comments will not be required in order to participate at the workshop. Formal intervention is not necessary to participate in this proceeding, but anyone wishing to become a formal party must file a petition to intervene with the Commission prior to the workshop. Consumers should be aware that, under certain conditions, compensation for expenses incurred by participation or intervention in this proceeding may be available under PURPA section 122.

For more information contact the Public Service Commission, State Capitol, Bismarck, North Dakota 58505, 701-328-2400; or Relay North Dakota 1-800-366-6888 TTY. If you require any auxiliary aids or services, such as readers, signers, or Braille materials please notify Illona A. Jeffcoat-Sacco, Executive Secretary.

### PUBLIC SERVICE COMMISSION

		
Susan E. Wefald Commissioner	Tony Clark President	Kevin Cramer Commissioner

cheryl.robins@thomson.com  
Cheryl Robins

mweninge@pioneer.state.nd.us  
Melinda Weninger  
Aeronautics Commission  
PO Box 5020  
Bismarck ND 58502-5020

smassey@bepc.com  
Sheryl Massey  
Basin Electric Power Coop  
1717 E Interstate Ave  
Bismarck ND 58501-0564

colson@bepc.com  
Clare Olson  
Basin Electric Power Coop  
1717 E Interstate Ave  
Bismarck ND 58501-0564

kberg@bdec.coop  
Keith Berg  
Burke-Divide Electric Cooperative, Inc.  
PO Box 6  
Columbus ND 58727-0006

jason@nccray.net  
Jason Broth  
Burke-Divide Electric Cooperative, Inc  
PO Box 6  
Columbus ND 58727-0006

larsn@capitalelec.com  
Ordean "Lars" Nygren  
Capital Electric Coop Inc  
PO Box 730  
Bismarck ND 58502-0730

shandy@kwh.com  
Scott Handy  
Cass County Electric Coop  
4100 32nd Ave SW  
Fargo ND 58104

bschmidt@kwh.com  
Brad Schmidt  
Cass County Electric Coop  
4100 32nd Ave SW  
Fargo ND 58104

crec@utma.com  
Duane Otto  
Cavalier Rural Electric Coop Inc  
Box 749  
Langdon ND 58249-0749

williamsongw@centralpwr.com  
Gary Williamson  
Central Power Electric Cooperative, Inc  
525 20th Ave SW  
Minot ND 58701-6436

bnicholls@dadco.com  
Bryan Nicholls  
D A Davidson & Co

jayj@dakotavalley.com  
Jay Jacobson  
Dakota Valley Electric Coop Inc  
14051 Hwy 13  
Milnor ND 58060-0159

jlsok@midrivers.com  
John Sokoloski  
Goldenwest Electric Coop Inc  
Box 177  
Wibaux MT 59353-0177

dsaggau@GREnergy.com  
Davic Saggau  
Great River Energy  
P O Box 800  
Elk River MN 55330-0800

johnpw@verendrye.com  
John Westby  
Great River Energy  
P O Box 800  
Elk River MN 55330-0800

tzeigler@kemelectric.com  
Terry Zeigler  
KEM Electric Coop Inc  
Box 790  
Linton ND 58552-0790

sales@kmavradio.com  
KMAV AM/FM RADIO  
PO Box 216  
Mayville ND 58257-0216

donp@lyrec.com  
Donald Prevost  
Lower Yellowstone Rural Elec Assn Inc  
Box 1047  
Sidney MT 59270-1047

harking@oz.net  
Harriet King  
McGraw-Hill/Platts

tom@mckenzieelectric.com  
Tom Miller  
McKenzie Electric Coop Inc  
Box 649  
Watford City ND 58854-0649

craig\_scott@bobcat.com  
Craig Scott  
Melroe Company  
P O Box 128  
Gwinner ND 58040-0128

mbring@minnkota.com  
Mark Bring  
Minnkota Power Cooperative, Inc  
Box 13200  
Grand Forks ND 58208-3200

dloer@minnkota.com  
David W. Loer  
Minnkota Power Cooperative, Inc  
Box 13200  
Grand Forks ND 58208-3200

don.ball@mdu.com  
Don Ball  
Montana-Dakota Utilities Co  
400 N 4th St  
Bismarck ND 58501

karen.collins@mdu.com; tamie.aberle@mdu.com  
Karen Collins  
Montana-Dakota Utilities Co  
400 N 4th St  
Bismarck ND 58501

cternes@morgransou.com  
Donald Franklund  
Mor-Gran-Sou Electric Coop Inc  
PO Box 297  
Flasher ND 58535-0297

dhaugen@mwec.com  
Dale Haugen  
Mountrail-Williams Elec Coop  
PO Box 1346  
Williston ND 58802-1346

jpaczkowski@state.nd.us  
John Paczkowski  
N D Water Commission  
900 E Boulevard  
Bismarck ND 58505

hfuglest@ndarec.com  
Harlan Fugelsten  
ND Assn Rural Electric Coops  
PO Box 727  
Mandan ND 58554-0727

dhill@ndarec.com  
Dennis Hill  
ND Assn Rural Electric Coops  
PO Box 727  
Mandan ND 58554-0727

pschaner@ndarec.com  
Patti Schaner  
ND Assn Rural Electric Coops  
PO Box 727  
Mandan ND 58554-0727

jiszler@state.nd.us  
Jocie Iszler  
ND Corn Utilization Council  
1325 23rd ST S  
Fargo ND 58103

kchristianson@state.nd.us  
Kim Christianson  
ND Department of Commerce

gberg@nodakelectric.com  
George Berg  
Nodak Electric Cooperative, Inc.  
Box 13000  
Grand Forks ND 58208-3000

c.jacobson@nceci.com  
Cedric Jacobson  
North Central Elec Coop Inc  
501 11th St West  
Bottineau ND 58318-1916

jayj@dakotavalley.com  
Jay Jacobson  
Northern Plains Electric Coop, Inc  
P O Box 608  
Cando ND 58324-0608

norcity@polarcomm.com  
Marcy Douglas  
Northwood Municipal Light & Power Co  
PO Box 397  
Northwood ND 58267-0397

claytonh@olivermercerc.com  
Clayton Hoffman  
Oliver-Mercer Electric Coop Inc  
  
Hazen ND 58545

rdenault@otpc.com  
Russ Denault  
Otter Tail Power Company  
P O Box 400  
Devils Lake ND 58301

pbeithon@otpc.com  
Pete Beithon  
Otter Tail Power Company  
215 S Cascade Street  
Fergus Falls MN 56538-0496

bbrutlag@otpc.com  
Bernadeen Brutlag  
Otter Tail Power Company  
215 S Cascade Street  
Fergus Falls MN 56538-0496

dellefson@otpc.com  
Dennis Ellefson  
Otter Tail Power Company  
215 S Cascade Street  
Fergus Falls MN 56538-0496

tgreene@otpc.com  
Tim Greene  
Otter Tail Power Company  
215 S Cascade Street  
Fergus Falls MN 56538-0496

llaugtug@otpc.com  
Loren Laugtug  
Otter Tail Power Company  
215 S Cascade Street  
Fergus Falls MN 56538-0496

rmontoye@otpc.com  
Ron Montoyne  
Otter Tail Power Company  
215 S Cascade Street  
Fergus Falls MN 56538-0496

dross@otpc.com  
David Ross  
Otter Tail Power Company  
215 S Cascade Street  
Fergus Falls MN 56538-0496

sschultz@otpc.com  
Steve Schultz  
Otter Tail Power Company  
215 S Cascade Street  
Fergus Falls MN 56538-0496

dweiby@otpc.com  
Dan Weiby  
Otter Tail Power Company  
215 S Cascade Street  
Fergus Falls MN 56538-0496

lakeleader@aol.com  
John M Wylie II  
Platts Electric Power Publications  
109 S Maple St  
Oologah OK 74053-1175

2shelec@nemontel.net  
Bill Schell  
Sheridan Electric Co-op Inc  
PO Box 227  
Medicine Lake MT 59247-0227

lynetten@slopeelectric.coop  
Lynette Nieuwsma  
Slope Electric Coop Inc  
PO Box 338  
New England ND 58647-0338

dloer@minnkota.com  
David Loer  
Square Butte Elec Coop  
PO Box 13200  
Grand Forks ND 58208-3200

mdickerson@state.nd.us  
Marcy Dickerson  
State Tax Department  
State Capitol  
Bismarck ND 58505

noel\_poe@nps.gov  
Hala Bates  
Theodore Roosevelt National Park

lahall@usgs.gov  
Lenora Hall  
U S Geological Survey

kjvannin@usgs.gov  
K Vannin  
U S Geological Survey

tomb@uppermo.com  
Tom Barnett  
Upper Missouri G & T Electric Coop, Inc  
Box 1069  
Sidney MT 59270

brucerc@verendrye.com  
Bruce Carlson  
Verendrye Electric Cooperative, Inc  
Hwy 52 W  
Velva ND 58790-7417

david@wpec.net  
David C Schelkoph  
West Plains Electric Coop Inc  
P O Box 1038  
Dickinson ND 58602-1038

mark.nisbet@xcelenergy.com  
Mark Nisbet  
Xcel Energy  
PO Box 2747  
Fargo ND 58108-2747

dave.sederquist@xcelenergy.com  
Dave Sederquist  
Xcel Energy  
PO Box 2747  
Fargo ND 58108-2747

Steven Tomac

2498 59th St  
St Anthony ND 58566-9640

Roger Johnson  
Agriculture Department  
State Capitol  
Bismarck ND 58505

Scott Geston  
Cable One of Fargo  
P O Box 10757  
Fargo ND 58106-0757

MS GWEN THOMPSON  
CHAIRPERSON FOR DRC COAL COMM  
2010 E CAPITOL AVE #10  
BISMARCK ND 58501-2257

Vernon Baszler  
Community Action Program Reg VII Inc  
1825 S Grandview #15  
Bismarck ND 58501

Will Kaul  
Cooperative Power Association  
P O Box 800  
Elk River MN 55330-0800

Dakota Resource Council  
PO Box 1095  
Dickinson ND 58602-1095

Department of Commerce  
1600 E Century Ave Ste 20  
Bismarck ND 58503-0649

Rick Larson  
Energy Development Impact Office  
1707 N 9th St  
Bismarck ND 58501

Terrance D Henriksen  
Grafton Light & Water Department  
Box 578  
Grafton ND 58237-0578

91 CSG/JA  
MINOT AIR FORCE BASE  
MINOT ND 58705-5000

BUREAU OF LAND MANAGEMENT  
TNT STATE OFFICE  
PO BOX 36800  
BILLINGS MT 59107-6800

W Voorhees  
Cavalier Municipal Utilities  
P O Box 750  
Cavalier ND 58220-0750

Harold Rachow  
City of Hillsboro  
PO Box 400  
Hillsboro ND 58045-0400

Julian Brix  
Cooperative Power Association  
P O Box 800  
Elk River MN 55330-0800

William Jackson  
Dakota Justice  
38 8th Ave W  
Dickinson ND 58601

Laurie Baranko  
Dakota Resource Council  
PO Box 1095  
Dickinson ND 58602-1095

Gene Hysjulien  
Department of Human Services  
State Capitol  
Bismarck ND 58505

John Hoeven  
Governor's Office  
State Capitol  
Bismarck ND 58505

Historical Society  
North Dakota Heritage Center  
Bismarck ND 58505

Scott Parkman  
Hope Municipal Utility  
Hope ND 58046

Jay Casler  
INDEPTH DATA INC  
44 S Bdwy 18th Fl  
White Plains NY 10601-4425

Indian Affairs Commission  
State Capitol  
Bismarck ND 58505

News Director  
KHND AM Radio  
PO Box 6  
Harvey ND 58341-0006

Dennis Winkler  
Lakota Municipal Utilities  
PO Box 505  
Lakota ND 58344-0505

Larry Summers  
Maddock Municipal Utilities  
Box 276  
Maddock ND 58348-0276

Reginal Rudolph  
McLean Electric Coop Inc  
PO Box 399  
Garrison ND 58540-0399

MINING HEALTH & SAFETY ADMN  
CMSHA - US DEPT OF LABOR  
PO BOX 25367  
DENVER CO 80225-5367

Bruce Imsdahl  
Montana-Dakota Utilities Co  
400 N 4th St  
Bismarck ND 58501

Mike Foley  
NARUC  
1101 Vermont Avenue NW Ste 200  
Washington DC 20005

MR DON PETERSON  
NATIONAL FARMERS ORGN  
GASCOYNE ND 58629

NATIONAL PARK SERVICE  
MIDWEST FIELD AREA  
1709 JACKSON STREET  
OMAHA NE 68102

Robert Burns  
National Regulatory Research Inst  
406 Bevis Hall 1080 Carmack  
Columbus OH 43210

Dennis Lavallee  
Nat'l Assoc Plumbing-Htg-Cooling  
PO Box 6808  
Falls Church VA 22046-6808

Scott Speaker  
Natural Gas Week  
1401 New York Ave NW Ste 500  
Washington DC 20005-2150

MR SCOTT HOAG  
NATURAL RESRC CONSERV SVC  
PO BOX 1458  
BISMARCK ND 58502-1458

Gary Puppe  
ND Assoc of Soil Conservation Dist  
PO Box 1601  
Bismarck ND 58502-1601

Harlan Fuglesten  
ND Association of RECs  
PO Box 727  
Mandan ND 58554-0727

David Spryncynatyk  
ND Department of Transportation  
State Highway Building  
Bismarck ND 58505

MR ROBERT CARLSON  
ND FARMERS UNION  
PO BOX 2136  
JAMESTOWN ND 58402-2136

MR TOM BERG  
ND FOREST SERVICE  
MOLBERG CENTER  
307 1ST STREET EAST  
BOTTINEAU ND 58318

MR DEAN HILDEBRAND  
ND GAME & FISH DEPT  
INSIDE MAIL

MR ED MURPHY  
ND GEOLOGICAL SURVEY  
INSIDE MAIL

Mike Haupt  
ND Land Department  
1707 N 9th St  
Bismarck ND 58501

MR SCOTT HOCHHALTER  
ND SOIL CONSERVATION COMM  
2718 Gateway Ave, Unit #104  
INSIDE MAIL  
Bismarck ND 58503

John Mittleider  
North Dakota Farm Bureau  
Box 2793  
Bismarck ND 58502-2793

Wayne Stenehjem  
Office of Attorney General  
State Capitol  
Bismarck ND 58505

Public Utilities Reports Inc  
Law Dept  
8229 Boone Blvd Ste 401  
Vienna VA 22182

Vernon Laning  
Stanton Municipal Power System  
PO Box 156  
Stanton ND 58571-0156

David Sprynczynatyk  
State Engineer  
ND Water Commission  
900 East Boulevard  
Bismarck ND 58505

Dean Hildebrand  
ND Game & Fish Department  
100 N Bismarck Expswy  
Bismarck ND 58505

John Bluemle  
ND Geological Survey  
600 E. Boulevard  
Bismarck ND 58505

Lisa K Fair-McEvers  
ND Labor Dept  
600 E Blvd Ave

MR DOUG PRCHAL  
ND PARKS & TOURISM  
INSIDE MAIL

MR DALE FRINK  
ND WATER COMM  
INSIDE MAIL

Doug Prchal  
North Dakota Parks & Rec  
1600 E Century Ave Ste 3  
Bismarck ND 58503-0649

Russel Midgarden  
Park River Light & Water Plant  
PO Box C  
Park River ND 58270

Gary Johnson  
Sharon Light & Power  
Sharon ND 58277

Mel Olson  
State Bd of Voc Education  
State Capitol  
Bismarck ND 58505

L David Glatt  
State Health Department  
INSIDE MAIL

State Health Department  
State Capitol  
Bismarck ND 58505

John Kapsner  
The Vogel Law Firm  
P O Box 2097  
Bismarck ND 58502-2097

US Army Corp of Engineers  
ND Regulatory Fld Office  
1513 S 12TH STREET  
Bismarck ND 58504

MS CAROL RUSSELL  
USEPA REGION 8  
999 18TH ST SUITE 300  
DENVER CO 80202

LeRoy Neubauer  
Valley City Public Works  
254 2nd Ave NE  
Valley City ND 58072

MR DUANE KLINNER  
STATE HISTORICAL SOCIETY OF ND  
INSIDE MAIL

Donald O'Leary  
Traverse Electric Coop Inc  
Wheaton MN 56296

MR ROGER COLLINS  
US FISH & WILDLIFE SERVICE  
3425 MIRIAM AVE  
BISMARCK ND 58501-7926

Riley Rogers  
Valley City Municipal Utilities  
PO Box 390  
Valley City ND 58072-0390

Paul Lehman  
Xcel Energy  
Minneapolis MN 55402