

**Anderson, Lori D.**

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**From:** Binek, William W.  
**Sent:** Thursday, April 26, 2007 7:32 AM  
**To:** -Grp-PSC Legal  
**Subject:** FW: Otter Tail Corporation and Montana-Dakota Utilities Co. Advance Determination of Prudence Applications, PSC Case Nos. PU-06-481 and PU 06-482

William W. Binek  
Chief Counsel  
ND Public Service Commission  
600 East Boulevard Avenue, Dept. 408  
Bismarck ND 58505-0480  
Phone: 701-328-4088  
Fax: 701-328-2410  
[wbinek@nd.gov](mailto:wbinek@nd.gov)

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**From:** Binek, William W.  
**Sent:** Thursday, April 26, 2007 7:16 AM  
**To:** Wahl, Al; 'Bruce Gerhardson'; 'Daniel S. Kuntz'; 'Carrie La Seur'; 'John W. Breen Jr.'  
**Cc:** Jeffcoat-Sacco, Illona  
**Subject:** RE: Otter Tail Corporation and Montana-Dakota Utilities Co. Advance Determination of Prudence Applications, PSC Case Nos. PU-06-481 and PU 06-482

I don't believe there is any need for advocacy staff to sign a waiver.

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Chief Counsel  
ND Public Service Commission  
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Bismarck ND 58505-0480  
Phone: 701-328-4088  
Fax: 701-328-2410  
[wbinek@nd.gov](mailto:wbinek@nd.gov)

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**From:** Wahl, Al  
**Sent:** Wednesday, April 25, 2007 4:02 PM  
**To:** Bruce Gerhardson; Daniel S. Kuntz; Carrie La Seur; John W. Breen Jr.; Binek, William W.  
**Cc:** Jeffcoat-Sacco, Illona  
**Subject:** Otter Tail Corporation and Montana-Dakota Utilities Co. Advance Determination of Prudence Applications, PSC Case Nos. PU-06-481 and PU 06-482

Counsel, I have Ms. Jeffcoat-Sacco's e-mail advising of counsel's agreement for the scheduling of testimony, briefing and proposed orders. The Commission will issue and publish notice of the rescheduled hearing. And otherwise I do not think it necessary in the circumstances to

4/26/2007

have a formal agreement for the filing of testimony, briefs and proposed orders for these cases.

I do ask, however, that counsel (except, I think, Mr. Binek) each file with the Commission a statement on behalf of their respective client (or clients) waiving the requirement of N.D.C.C. § 49-05-16(2) for the issuance of the Commission's order within seven months of the applications. I think your letter to Ms. Jeffcoat-Sacco is sufficient for that purpose. (Mr. Binek, I am somewhat uncertain about the role of the Commission's advocacy staff in the circumstances. If there is any uncertainty in your mind about the necessity for a waiver on the behalf of advocacy staff, you should, of course, file a waiver also.) Regards, Al Wahl.