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June 17, 2007

Attorney William Binek  
Chief Counsel  
ND Public Service Commission  
600 East Boulevard Ave. Dept 408  
Bismarck, ND 58505-0480

Re. Motion to Protect Confidential Testimony of Schlissel  
Motion to Allow Applicants to Protect Testimony (above)

Dear Mr. Binek,

I have received written confirmation by email from Attorney Kuntz for MDU and Attorney Mark Bring for OTP that they do not wish to protect the Confidential Testimony of David Schlissel as Protected.

Both Applicants have granted me authority to withdraw my Motion to Protect the Testimony of David Schlissel as Confidential.

The Motions to Protect the Confidential Testimony of David Schlissel as nonpublic testimony filed by Intervenors is withdrawn with the consent of all parties.

The testimony may be made public.

Very truly yours,

  
John W. Breen  
For Intervenors Mark Trechock and Dakota Resource Council

cc wbinek@nd.gov  
Dan.kuntz@mduresources.com  
mbring@ottertail.com  
bgerhardson@ottertail.com  
claseur@plainsjustice.org  
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mtrechock@drcinfo.com

**Anderson, Lori D.**

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**From:** Binek, William W.  
**Sent:** Monday, June 18, 2007 7:11 AM  
**To:** -Grp-PSC Commissioners; -Grp-PSC Public Utilities  
**Cc:** -Grp-PSC Legal  
**Subject:** FW: RE Release of Confidential Testimony Schlissel filed May 31, 2007 as public testimony  
**Attachments:** ltrBinekWithdrawMtntoProtectSchlisselConfTest6-17-2007.pdf

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**From:** John W. Breen Jr. [<mailto:jwbreen2@bis.midco.net>]  
**Sent:** Sunday, June 17, 2007 6:17 PM  
**To:** Binek, William W.  
**Cc:** David Schlissel; Carrie La Seur; Bruce Gerhardson; Dan Kuntz; [mbring@ottertail.com](mailto:mbring@ottertail.com); Mark Trechock  
**Subject:** RE Release of Confidential Testimony Schlissel filed May 31, 2007 as public testimony

Gentlemen

All parties have reviewed this issue and have informed me I have **authority to withdraw** Intervenors motions to keep the confidential testimony filed by David Schlissel on May 31, 2007. as nonpublic testimony.

Applicants ( MDU and OTP) and Intervenors agree the above testimony of David Schlissel may be released as Public Testimony.

The attached letter is signed by Attorney Breen

Jack Breen 6-17-2007  
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This information is legally client privileged mail. If you receive this mail in error, please delete same and notify me by email at [jwbreen2@bis.midco.net](mailto:jwbreen2@bis.midco.net)

6/18/2007