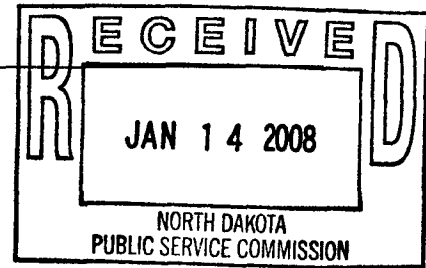


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# MEMORANDUM

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**DATE:** January 11, 2008

**TO:** Illona Jeffcoat-Sacco, Executive Director  
Public Service Commission

**FROM:** Al Wahl

**RE:** Otter Tail Corporation  
Advance Determination of Prudence Application, Big Stone II Power Generating Station  
Case No. PU-06-481

Montana-Dakota Utilities, Co., a Division  
Of MDU Resources Group, Inc.  
Advance Determination of Prudence Application, Big Stone II Power Generating Station  
Case No. PU-06-482

OAH File No. 20070100

Enclosed for filing is a letter dated January 11, 2008, in response to the Applicants' Motion For Scheduling Conference, *etc.*



# OFFICE OF ADMINISTRATIVE HEARINGS

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

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DIRECTOR

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January 11, 2008

Mr. Daniel S. Kuntz  
Assistant General Counsel  
Montana-Dakota Utilities, Co.  
P.O. Box 5650  
Bismarck, ND 58506-5650

Mr. Todd J. Guerrero  
Lindquist & Vennum, P.L.L.P.  
4200 IDS Center  
80 South 8th Street  
Minneapolis, MN 55402

Mr. John W. Breen, Jr.  
Attorney at Law  
717 Williams Street  
Bismarck, ND 58501

Mr. William W. Binek  
Public Service Commission  
600 East Boulevard Avenue, Dept. 408  
Bismarck, ND 58505-0480

Re: Otter Tail Corporation  
Advance Determination of Prudence Application, Big Stone II Power Generating Station  
Case No. PU-06-481

Montana-Dakota Utilities Co., a Division  
of MDU Resources Group, Inc.  
Advance Determination of Prudence Application, Big Stone II Power Generating Station  
Case No. PU-06-482

OAH File No. 20070100  
Applicants' Motion For Scheduling Conference, *etc.*

Dear Counsel:

I am directed by the Commission to process the pending motion made by the applicants for a scheduling conference, *etc.* I would at the same time process the pending order for hearing pursuant to North Dakota Century Code Section 28-32-25 dated September 14, 2007. Accordingly, please copy me with all further communications and filings concerning those pending matters.

At this time there does not appear to me to be a need for a scheduling conference. I would treat the motion as a request for supplemental hearings and further proceedings in accordance with the schedule proposed. Subject to response, it appears to me that there is good cause for supplemental hearings for the captioned matters. I am advised by each of the commissioners that they are available for a hearing during the period March 24 through 27, 2008, and it appears to me that the schedule proposed by the applicants for supplemental hearings is reasonable. Therefore, subject to response, I would order the supplemental hearings be held March 25 and

Mr. Kuntz, Mr. Guerrero, Mr. Breen, and Mr. Binek  
January 11, 2008  
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26, 2008, reserving March 27, 2008, against an unexpected continuance, and otherwise proceed as the applicants have proposed.

Mr. Breen and Mr. Binek, if you will resist the applicants' motion or disagree with an order as I have proposed, in addition to your objection please advise me for an alternative schedule for supplemental hearings if the applicants' request is granted.

In the circumstances and in accordance with the order continuing Section 28-32-25 hearing dated September 26, 2007, I would vacate the order for that hearing as unnecessary. Please advise me of any objection to my vacating that order within ten days of the date of this letter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Al Wahl', with a long horizontal flourish extending to the right.

Al Wahl  
Administrative Law Judge

AW/eap

cc: Mr. Donald R. Ball  
Montana-Dakota Utilities, Co.  
Mr. Mark Bring  
Otter Tail Corporation  
Ms. Carrie La Seur  
Plains Justice  
Mr. Mark Trechock  
Dakota Resource Council  
Ms. Illona Jeffcoat-Sacco  
Public Service Commission