
MEMORANDUM

DATE: February 1, 2008
TO: Illona Jeffcoat-Sacco, Executive Director
Public Service Commission
FROM: Al Wahl
RE: Otter Tail Corporation
Advance Determination of Prudence Application
Case No. PU-06-481

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

OAH File No. 20070100

Enclosed for filing is the Order Vacating Order for Hearing Pursuant to North Dakota Century Code Section 28-32-25 and the Order Scheduling Proceedings for Supplemental Hearings, both issued February 1, 2008, in the above-referenced matters.

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FEB - 4 2008

PUBLIC SERVICE COMMISSION

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

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ORDER SCHEDULING PROCEEDINGS FOR SUPPLEMENTAL HEARINGS

Applicants Otter Tail Corporation and Montana-Dakota Utilities Co. having moved the North Dakota Public Service Commission pursuant to N.D. Admin. Code ch. 69-02-03 for a scheduling conference and supplemental hearings for the captioned cases, the Commission having referred the motion to its designated hearing officer for these cases pursuant to N.D. Admin. Code § 69-02-04-07 for consideration and disposition, and being informed and advised in the premises by the parties and the Commission's advisory staff, it is

Ordered, that, a scheduling conference being unnecessary, the motion is in that respect denied, and it is further

Ordered, that the motion for supplemental hearings for these cases is granted, and the further proceedings shall be had as follows:

Applicants' Supplemental Pre-Filed Direct Testimony	March 10, 2008
Intervenors' and Advocacy Staff's Pre-Filed Rebuttal Testimony	April 7, 2008
All Parties' Pre-Filed Rebuttal Testimony	April 21, 2008

(anticipating that the supplemental hearings will be completed in two days, a third day is nevertheless provided to avoid an unexpected continuance); and it is further

Ordered, that the parties shall each file and serve briefs, together with proposed findings of fact, conclusions of law, and order, not later than ten business days following the filing of the transcript of the supplemental hearings, and may each file and serve rebuttal briefs not less than ten business days following the last day for filing and serving briefs; and it is further

Ordered, that all documents served and filed in accordance with this order shall be served and filed as printed documents delivered by regular mail or courier and as attachments to e-mail in PDF format.

Dated at Bismarck, North Dakota, this 1st day of February, 2008.

State of North Dakota
Public Service Commission

By: 

Al. Wahl, Administrative Law Judge
Office of Administrative Hearings
1707 North 9th Street
Bismarck, North Dakota 58501
Telephone: (701) 328-3260

AMERICANS WITH DISABILITIES ACT NOTIFICATION: A party shall promptly notify the Public Service Commission in writing if the party or a witness to be called by the party has a disability which will require auxiliary aids or services at the hearing so that the Commission can make appropriate accommodation prior to the hearing. Any request for an interpreter at the hearing must also be made in writing to the Commission. Any request for aids, services, or an interpreter should be as specific as possible about what is required by the party or witness. Also, please send a copy of the notice or request to the administrative law judge.

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CERTIFICATE OF SERVICE

The undersigned certifies that true and correct copies of the **ORDER SCHEDULING PROCEEDINGS FOR SUPPLEMENTAL HEARINGS** were sent by regular mail on the 1st day of February, 2008, to:

Todd J. Guerrero
Lindquist & Vennum, P.L.L.P.
4200 IDS Center
80 South Eighth Street
Minneapolis, MN 55402-2274

Mark Bring
Associate General Counsel
Otter Tail Corporation
215 South Cascade Street
Fergus Falls, MN 56538-0496

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

John W. Breen, Jr.
717 Williams Street
Bismarck, ND 58501

Carrie La Seur
Plains Justice
319 3rd Street Northwest
Mount Vernon, IA 52314

Mark Trechock
Dakota Resource Council
P.O. Box 1095
Dickinson, ND 58602-1095

and that a true and correct copy of the above document was mailed, inside mail, at the State Capitol, on the 1st day of February, 2008, to:

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

OFFICE OF ADMINISTRATIVE HEARINGS
Al. Wahl, Administrative Law Judge


Elizabeth Patterson

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

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**ORDER VACATING ORDER FOR HEARING PURSUANT TO
NORTH DAKOTA CENTURY CODE SECTION 28-32-25**


The North Dakota Public Service Commission having ordered supplemental hearings for the captioned cases for Otter Tail Corporation and Montana Dakota Utilities Co. to each offer additional information relevant to their separate advance determination of prudence applications for proposed modifications of their respective participation and ownership interest in the Big Stone II Generating Plant, the hearing pursuant to N.D.C.C. § 28-32-25 for the Commission's consideration of certain other additional information pursuant to and in accordance with the Commission's order dated September 14, 2007, is unnecessary, and therefore it is

Ordered, that the Order for Hearing Pursuant to North Dakota Century Code Section

28-32-25, dated September 14, 2007, and docketed September 17, 2007, shall be, and it hereby is, vacated without further requirement.

Dated at Bismarck, North Dakota, this 1st day of February, 2008.

State of North Dakota
Public Service Commission

By: 
Al. Wahl, Administrative Law Judge
Office of Administrative Hearings
1707 North 9th Street
Bismarck, North Dakota 58501
Telephone: (701) 328-3260

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CERTIFICATE OF SERVICE

The undersigned certifies that true and correct copies of the **ORDER VACATING ORDER FOR HEARING PURSUANT TO NORTH DAKOTA CENTURY CODE SECTION 28-32-25** were sent by regular mail on the 1st day of February, 2008, to:

Todd J. Guerrero
Lindquist & Vennum, P.L.L.P.
4200 IDS Center
80 South Eighth Street
Minneapolis, MN 55402-2274

Mark Bring
Associate General Counsel
Otter Tail Corporation
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Bismarck, ND 58506-5650

John W. Breen, Jr.
717 Williams Street
Bismarck, ND 58501

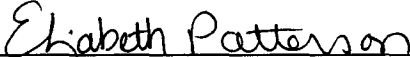
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