

Anderson, Lori D.

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
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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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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

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.