

Anderson, Lori D.

From: Binek, William W.
Sent: Thursday, June 21, 2007 7:39 AM
To: Todd J. Guerrero; Wahl, Al; Kuntz, Dan; Bruce Gerhardson; David L. Sasseville; Carrie La Seur; John W. Breen Jr.
Cc: Mark Bring; -Grp-PSC Commissioners; -Grp-PSC Public Utilities; -Grp-PSC Legal
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

Advocacy staff does not object to Mr. Schlissel testifying on Thursday morning.

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From: Todd J. Guerrero [mailto:tguerrero@lindquist.com]
Sent: Wednesday, June 20, 2007 6:41 PM
To: Wahl, Al; Kuntz, Dan; Bruce Gerhardson; David L. Sasseville; Carrie La Seur; John W. Breen Jr.; Binek, William W.
Cc: Mark Bring
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

Judge Wahl - on behalf of Otter Tail, while it also does not object to having Mr. Schlissel testify on Thursday morning, our impression was that we would otherwise be able to conclude the hearing by close of business on Wednesday, including any testimony from Mr. Schlissel. MDU and OTP will have the witness list/order, along with responsible counsel, to you no later than close of business Friday. Thank you.

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From: Wahl, Al [mailto:awahl@nd.gov]
Sent: Wednesday, June 20, 2007 5:12 PM
To: Kuntz, Dan; Bruce Gerhardson; Todd J. Guerrero; David L. Sasseville; Carrie La Seur; John W. Breen Jr.; Binek, William W.
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 mention again that I wish to have for each party a list of the witnesses that the party expects to call, in the anticipated order of their testimony, showing the name of counsel for the direct examination of the witnesses. (Your list is only for my convenience for the conduct of the hearing, and not a commitment to call witnesses in the order listed or to call any witness listed.) I wish to have

that, please, not later than close of business Friday next. (Your e-mail only is, of course, satisfactory, and there is no need to file with the Commission.)

I will also appreciate, counsel, your best guess whether these consolidated hearings will go two days, two and one-half days, or whether we will lucky to be done in three days.

Which leads me, Mr. Breen, to your request to schedule Mr. Schlissel's testimony on Thursday morning regardless of the order of proof. I have Mr. Kuntz's advice that MDU has no objection to calling Mr. Schlissel out of order, but I have no advice from other counsel for the other parties concerning your request. You will either need the agreement of counsel for OTP and the Commission for my consideration, or you will have to make a motion. In any case, I will tell you that I am not inclined to risk having to recess early on the 27th to hear Mr. Schlissel on the morning of the 28th in the absence of a showing that the accommodation is necessary, and your request does not make that showing. Regards, Al Wahl.

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