

DIVIDER

STATE OF NORTH DAKOTA

□ INFORMATION TECHNOLOGY DEPARTMENT

SFN 2053 (4-2002)

PU-07-607

Otter Tail Corporation

40.5 MW Otter Tail Project, Cavalier County

Public Convenience & Nece

Filed 8/9/2007

Closed 1/22/2008

07



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RECEIVED

JUN 02 2009

June 2, 2009

PUBLIC SERVICE COMMISSION

Mr. Darrell Nitschke
Executive Secretary
Director of Administration
North Dakota Public Service Commission
600 East Boulevard, Dept 408
Bismarck, ND 58505-0408

*Via E-Filing to ndpsc@nd.gov
and UPS Overnight Mail*

RE: Otter Tail Corporation 40.5 MW Otter Tail Project, Cavalier County

Dear Executive Secretary Nitschke:

Enclosed in the above-referenced matter are an original and seven (7) copies of a Decommissioning Plan and Cost Estimates.

This 40.5 MW portion of the Langdon Wind Energy Center was the subject of an Otter Tail Application for a Certificate of Public Convenience and Necessity in PU-07-607.

Thank you for your attention to this matter.

Sincerely,

Mark B. Bring
Associate General Counsel
/cjk

Enclosures

17 **PU-07-607** Filed: 6/2/2009 Pages: 7
Decommissioning Plan and Cost Estimates

Otter Tail Corporation
Mark Bring, Associate Gnl. Counsel

1 **PU-09-244** Filed: 6/2/2009 Pages: 7
Decommissioning Plan and Cost Estimates

Otter Tail Corporation
Mark Bring, Associate Gnl. Counsel

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**Otter Tail Corporation
Otter Tail 40.5 MW Project – Wind**

Case No. _____

DECOMMISSIONING PLAN

Pursuant to ND Administrative Code § 69-09-09-06 and § 69-09-09-07, please accept this filing as Otter Tail Power Company's proposed decommissioning plan for the 40.5 MW owned by Otter Tail Power Company at the Langdon Wind Energy Center. The decommissioning plan contains two scenarios, one which recoups the salvage value of the components and the other scenario under which decommissioning costs are based upon scrapping the components (except for the transformers).

Salvage and Resale Value. The resale value of a wind turbine refers to the potential salvage value at the end of its useful life. Future resale value will depend upon a variety of factors, including the extent of changes in the design of new systems, and upon the attractiveness of wind turbines relative to other alternative energy technologies. The salvage value of the wind energy system increases the ultimate rate of return on the investment. A conservative estimate for salvage value was used in the calculation of a selling price after 20 years, determining the wind turbines to be worth 10 percent of their original purchase price.

Decommission Activities. The costs and activities for the removal of the tower and wind turbine components, the meteorological tower, access roads, and the collection system have been evaluated, as follows:

Tower and Wind Turbine Components. The turbines are GE 1.5 MW on 80 meter steel towers. Activities have been estimated for dismantling the GE turbines, the tower sections and wind turbine blades. Removal of the tower wiring and transformer is also included. All components would be removed from the property. The salvage value for the tower, transformer and turbine is estimated to be 10 percent of their estimated value. (As indicated above, a conservative value has been used.)

Tower and Transformer Foundations. Tower and transformer foundations would be removed to a depth of three (3) feet below existing grade. Conduits and connections would be removed to a depth of two (2) feet below grade. The foundation sites would be graded to match surrounding contours and be restored to conditions that will support surrounding vegetation.

Other Structures. One meteorological tower would be removed, including its footing to a depth of three (3) feet below existing grade.

Tower Access Roads. Aggregate base roads would be scarified and graded into the adjacent soils to the approximate existing topography. This area would be covered with topsoil from the site and vegetation re-established.

Collection System. The collection system terminations near the transformer would be removed to a depth of two (2) feet below existing ground line. The collection system cabling is assumed to be left in place since the depth of installation is below the two (2) foot depth as per industry norms.

Disturbed areas would be restored and reclaimed to the same general topography existing just prior to commencing construction of the Langdon Wind Energy Center. Topsoil will be spread over the disturbed area at a depth similar to that in existence prior to the disturbance. The disturbed areas would be graded, top-soiled and reseeded according to National Resource Conservation Service guidelines, unless the landowner requests, in writing, that the access roads or other land surface areas be retained.

Within eight (8) months after the facility or turbine reaches the end of its useful life (after no electricity generation for a continuing period of 24 months), decommissioning shall begin and will be completed within eighteen (18) months after the facility or turbine reaches the end of its useful life.

The cost of the decommissioning would be paid for using funds obtained from internally generated cash flows.

If ordered by the North Dakota Public Service Commission, after the tenth (10th) year of operation, the owner/operator will secure a performance or surety bond, letter of credit, corporate guarantee, or other form of financial assurance acceptable to the Commission to cover the anticipated costs of decommissioning.

As indicated on the attached estimates, the total cost of salvage and restoration is estimated to be \$17,490.00, and the total estimated cost if the components are scrapped is \$857,042.00.

If you have any questions or need additional clarification, please contact me.

Respectfully submitted,

OTTER TAIL POWER COMPANY



Randy Synsteliën
Manager, Renewable Energy
Development

**Project: 40.5 MW of Langdon Wind Energy Center
Wind Tower Decommission and Site Restoration Estimate (Scrap Value)**

1.0 Turbines and Towers: Decommissioning turbines and towers for this estimate assumes no commercial or resale value for both the turbines and towers. Scrap practices will be performed in a manner consistent with demolition practices. Transformers will be salvaged.

Turbines - GE 1.5 MW; Towers - 80M Steel Towers

| | <u>Quantity</u> | <u>Unit Cost</u> | <u>Extended Cost</u> | <u>Assumptions:</u> |
|-----------------------------------|-----------------|------------------|----------------------|--|
| 1.1 Demolish Turbine & Towers | 27 ea | \$ 20,800.00 | \$ 561,600.00 | Removal of electrical tower wiring included & scrapping of tower/turbines on-site. |
| 1.2 Removal of Transformers | 27 ea | \$ 1,196.00 | \$ 32,292.00 | |
| 1.3 Removal of Turbine Blades | 27 ea | \$ 5,720.00 | \$ 154,400.00 | Removal due to fiberglass clean-up with disposal in an off-site facility. |
| 1.4 Scrap Value of Towers | 27 ea | \$ (6,344.00) | \$ (171,288.00) | |
| 1.5 Salvage Value of Transformers | 27 ea | \$ (4,160.00) | \$ (112,320.00) | Scrap value @ \$36.40/ton based upon a 349,212# tower. |
| 1.6 Scrap Value of Turbine | 27 ea | \$ (9,360.00) | \$ (252,720.00) | |
| 1.0 Turbine and Tower Totals: | | | \$ 211,964.00 | |

2.0 Tower Foundations: Tower foundations will be removed to a depth of three (3) feet below existing grade. Transformer foundations will be removed to three (3) feet below grade. Conduits and connections will be removed to a depth of two (2) feet below grade. Foundation sites will be graded to match surrounding contours and restored to conditions that will support surrounding vegetation.

Type: Spread Footing with Pedestal

| | <u>Quantity</u> | <u>Unit Cost</u> | <u>Extended Cost</u> | <u>Assumptions:</u> |
|--|-----------------|------------------|----------------------|---|
| 2.1 Foundation Removal, Disposal & Grading | 27 ea | \$15,500.00 | \$ 418,500.00 | Demolition & removal of foundation concrete & steel |
| 2.2 Transformer Pad Removal & Disposal | 27 ea | \$ 260.00 | \$ 7,020.00 | |
| 2.0 Tower Foundation Totals: | | | \$ 425,520.00 | Complete removal |

3.0 Other Structures: Removal of meteorological tower, including footing to a depth of three (3) feet below existing grade.

| | <u>Quantity</u> | <u>Unit Cost</u> | <u>Extended Cost</u> | <u>Assumptions:</u> |
|--|-----------------|------------------|----------------------|---------------------|
| 3.1 80 meter Meteorological Towers | 1 ea | \$ 7,800.00 | \$ 7,800.00 | |
| 3.2 Substation Foundations, Fence, Steel & Grading | 0 ea | \$ -- | \$ -- | |
| 3.3 Substation Equipment Salvage | 0 ea | \$ -- | \$ -- | |
| 3.4 O&M Building Salvage, Fence Removal & Grading | 1 ea | \$15,600.00 | \$ 15,600.00 | |
| 3.0 Other Structure Totals: | | | \$ 23,400.00 | |

4.0 Tower Access and Site Roads: Aggregate base roads will be scarified and graded into the adjacent soils to approximate existing topography, covered with topsoil from the site and vegetation re-established.

Type: 14,502 lf of average 16 ft wide roads with 6 inches of compacted aggregate base

| | <u>Quantity</u> | <u>Unit Cost</u> | <u>Extended Cost</u> | <u>Assumptions:</u> |
|--------------------------------|-----------------|------------------|----------------------|--|
| 4.1 Roadway Obliteration | 47,266 lf | \$ 2.96 | \$ 139,907.00 | Aggregate base can be mixed and covered with topsoil |
| 4.2 Topsoil Re-spread | 36.50 ac | \$ 286.00 | \$ 10,439.00 | |
| 4.3 Re-vegetation Seeding | 36.50 ac | \$ 832.00 | \$ 30,368.00 | |
| 4.0 Tower Access & Site Roads: | | | \$ 180,714.00 | |

5.0 Collection System: Removal of termination sections near transformer to a depth of 24" below existing ground line.

| | <u>Quantity</u> | <u>Unit Cost</u> | <u>Extended Cost</u> | <u>Assumptions:</u> |
|---|-----------------|------------------|----------------------|---------------------|
| 5.1 Remove collection system terminations | 27 ea | \$ 572.00 | \$ 15,444.00 | |
| 5.0 Collection System Totals: | | | <u>\$ 15,444.00</u> | |
| Langdon Site Decommission Totals: | | | \$ 857,042.00 | |

**Project: 40.5 MW of Langdon Wind Energy Center
Wind Tower Decommission and Site Restoration Estimate (Salvage Value)**

1.0 Turbines and Towers: Decommissioning turbines and towers for this estimate assumes a commercial or resale value of both the turbines and towers. Salvage will be performed in a manner consistent with material salvaging practices.

Turbines - GE 1.5 MW; Towers - 80M Steel Towers

| | <u>Quantity</u> | <u>Unit Cost</u> | <u>Extended Cost</u> | <u>Assumptions:</u> Removal of electrical tower wiring included & hauling of tower turbines off-site (\$93.6k). |
|-----------------------------------|-----------------|------------------|-------------------------|---|
| 1.1 Dismantle Turbine & Towers | 27 ea | \$ 124,800.00 | \$ 3,369,600.00 | |
| 1.2 Removal of Transformers | 27 ea | \$ 1,196.00 | \$ 32,292.00 | |
| 1.3 Removal of Turbine Blades | 27 ea | \$ 5,720.00 | \$ 154,440.00 | |
| 1.4 Salvage Value of Towers | 27 ea | \$ (20,800.00) | \$ (561,600.00) | Removal & disposal of bolts included |
| 1.5 Salvage Value of Transformers | 27 ea | \$ (4,160.00) | \$ (112,320.00) | |
| 1.6 Salvage Value of Turbine | 27 ea | \$(130,000.00) | <u>\$(3,510,000.00)</u> | |
| 1.0 Turbine and Tower Totals: | | | \$ (627,588.00) | |

2.0 Tower Foundations: Tower foundations will be removed to a depth of three (3) feet below existing grade. Transformer foundations will be removed to three (3) feet below grade. Conduits and connections will be removed to a depth of three (3) feet below grade. Foundation sites will be graded to match surrounding contours and restored to conditions that will support surrounding vegetation.

Type: Spread Footing with Pedestal

| | <u>Quantity</u> | <u>Unit Cost</u> | <u>Extended Cost</u> | <u>Assumptions:</u> Demolition & removal of foundation concrete & steel |
|--|-----------------|------------------|----------------------|---|
| 2.1 Foundation Removal, Disposal & Grading | 27 ea | \$15,500.00 | \$ 418,500.00 | |
| 2.2 Transformer Pad Removal & Disposal | 27 ea | \$ 260.00 | <u>\$ 7,020.00</u> | Complete removal |
| 2.0 Tower Foundation Totals: | | | \$ 425,520.00 | |

3.0 Other Structures: Removal of meteorological tower, including footing to a depth of three (3) feet below existing grade.

| | <u>Quantity</u> | <u>Unit Cost</u> | <u>Extended Cost</u> | <u>Assumptions:</u> |
|--|-----------------|------------------|----------------------|---------------------|
| 3.1 80 meter Meteorological Towers | 1 ea | \$ 7,800.00 | \$ 7,800.00 | |
| 3.2 Substation Foundations, Fence, Steel & Grading | 0 ea | \$ -- | \$ -- | |
| 3.3 Substation Equipment Salvage | 0 ea | \$ -- | \$ -- | |
| 3.4 O&M Building Salvage, Fence Removal & Grading | 1 ea | \$15,600.00 | <u>\$ 15,600.00</u> | |
| 3.0 Other Structure Totals: | | | \$ 23,400.00 | |

4.0 Tower Access and Site Roads: Aggregate base roads will be scarified and graded into the adjacent soils to approximate existing topography, covered with topsoil from the site and vegetation re-established.

Type: 14,502 lf of average 16 ft wide roads with 6 inches of compacted aggregate base

| | <u>Quantity</u> | <u>Unit Cost</u> | <u>Extended Cost</u> | <u>Assumptions:</u> Aggregate base can be mixed and covered with topsoil |
|--------------------------------|-----------------|------------------|----------------------|--|
| 4.1 Roadway Obliteration | 47,266 lf | \$ 2.96 | \$ 139,907.00 | |
| 4.2 Topsoil Re-spread | 36.50 ac | \$ 286.00 | \$ 10,439.00 | |
| 4.3 Re-vegetation Seeding | 36.50 ac | \$ 832.00 | <u>\$ 30,368.00</u> | |
| 4.0 Tower Access & Site Roads: | | | \$ 180,714.00 | |

5.0 Collection System: Removal of termination sections near transformer to a depth of 24" below existing ground line.

| | <u>Quantity</u> | <u>Unit Cost</u> | <u>Extended Cost</u> | <u>Assumptions:</u> |
|---|-----------------|------------------|----------------------|---------------------|
| 5.1 Remove collection system Terminations | 27 ea | \$ 572.00 | \$ 15,444.00 | |
| 5.0 Collection System Totals: | | | <u>\$ 15,444.00</u> | |
| Langdon Site Decommission Totals: | | | \$ 17,490.00 | |

**Otter Tail Corporation
40.5 MW Otter Tail Project, Cavalier County
Public Convenience and Necessity**

Case No. PU-07-607

The Order dated November 21, 2007 was mailed to the attached list on November 27, 2007.

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Shelly Bauske

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Dave Johnson
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Valley City ND 58072

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

**Otter Tail Corporation d/b/a Otter Tail Power
Company
Certificate of Public Convenience and Necessity**

Case No. PU-07-607

AFFIDAVIT OF SERVICE BY CERTIFIED MAIL

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

Lisa Zeimer deposes and says that:

she is over the age of 18 years and not a party to this action and, on the **26th day of November, 2007**, she deposited in the United States Mail, at Bismarck, North Dakota, **one** envelope with certified postage, return receipt requested, fully prepaid, securely sealed and containing an original of:

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY 5336

and a photocopy of:

SIGNED ORDER GRANTING OTTER TAIL CORPORATION D/B/A OTTER
TAIL POWER COMPANY CERTIFICATE OF PUBLIC CONVENIENCE AND
NECESSITY

The envelope was addressed as follows:

Mark A. Bring
Associate General Counsel
Otter Tail Corporation
215 South. Cascade Street
Fergus Falls, MN 56537

Certified No. 7007 2560 0001 6057 8107

Lisa Zeimer also deposes and says that:

on the **26th day of November, 2007**, she deposited in the United States Mail, at Bismarck, North Dakota, **one** envelope with certified postage, return receipt requested, fully prepaid, securely sealed and containing photocopies of

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY 5336

SIGNED ORDER GRANTING OTTER TAIL CORPORATION D/B/A OTTER
TAIL POWER COMPANY CERTIFICATE OF PUBLIC CONVENIENCE AND
NECESSITY

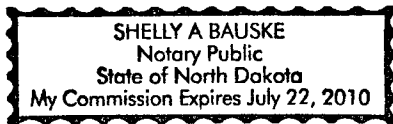
The envelope was addressed as follows:

Bernadeen Brutlag
Manager Regulatory Services
Otter Tail Power Company
215 South Cascade Street
Fergus Falls, MN 56537

Certified No.7007 2560 0001 6057 8114

Subscribed and sworn to before me
this 26th day of November, 2007

SEAL



A handwritten signature in cursive script, appearing to read "Bernadeen Brutlag".

A handwritten signature in cursive script, appearing to read "Shelly A. Bauske".
Notary Public

PUBLIC SERVICE COMMISSION

STATE OF NORTH DAKOTA

Certificate of Public Convenience and Necessity

Certificate Number 5336

This is to certify that public convenience and necessity require, and permission is granted for Otter Tail Corporation, to construct and own a 40.5 MW portion of the Langdon Wind Energy Center located in Cavalier County, North Dakota.

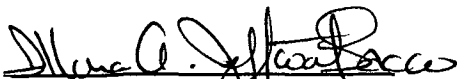
This certificate is issued in accordance with the Order of this Commission dated November 21, 2007 in Case No. PU-07-607, and is subject to the conditions and limitations noted in the Order.

This certificate is conditioned upon Otter Tail Corporation securing the franchise or other authority of the proper municipal or other public authority for the exercise of these rights and privileges.

Bismarck, North Dakota, November 21, 2007.

ATTEST:

PUBLIC SERVICE COMMISSION


Executive Director


Commissioner

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**Otter Tail Corporation
40.5 MW Otter Tail Project, Cavalier County
Public Convenience and Necessity**

Case No. PU-07-607

**ORDER
November 21, 2007**

On August 9, 2007 Otter Tail Corporation d/b/a Otter Tail Power Company (Otter Tail) filed an application for a Certificate of Public Convenience and Necessity to construct and own a 40.5 MW portion of the 159 MW Langdon Wind Energy Center and associated 34.5 kV collector lines and electrical facilities being developed by Langdon Wind, LLC in Cavalier County, North Dakota.

On October 3, 2007 the Commission issued a Notice of Opportunity for Hearing, which provided until November 13, 2007 for receiving written comments or hearing requests. No response has been received. The notice identified the following issues to be considered:

1. Whether public convenience and necessity will be served by construction and ownership of the facilities.
2. Whether Otter Tail is fit, willing and able to provide service.

Otter Tail is a Minnesota corporation authorized to do business in North Dakota as a foreign corporation, and is doing business in North Dakota as a public utility subject to the jurisdiction of and regulation by this Commission.

Otter Tail currently serves approximately 129,000 retail electric customers in eastern North Dakota, western Minnesota and northeastern South Dakota. Otter Tail is an experienced electric generation, transmission and distribution utility with the experience and resources to own a 40.5 MW portion of the Langdon Wind Energy Center.

Otter Tail's most recent integrated resource plan indicates that the additional 40.5 MW of wind generation is needed to meet system resource requirements. Otter Tail has determined that ownership of these facilities is cost-effective compared to energy purchases.

The facilities for which Otter Tail seeks certification were permitted by this Commission in Case No. PU-07-26 where Certificate of Site Compatibility No 6 was issued to Langdon Wind, LLC authorizing construction of the Langdon Wind Energy Center.

The Commission finds public convenience and necessity will be served by construction and ownership of the facilities.


The Commission finds that Otter Tail is fit, willing and able to provide service.

Order

The Commission Orders:

1. The application of Otter Tail Corporation d/b/a Otter Tail Power Company for a certificate of public convenience and necessity to construct and own electric generation facilities in North Dakota is GRANTED.
2. Certificate of Public Convenience and Necessity No. 5336 is issued to Otter Tail to construct and operate a 40.5 MW portion of the Langdon Wind Energy Center.

PUBLIC SERVICE COMMISSION



Tony Clark
Commissioner



Susan E. Wefald
President



Kevin Cramer
Commissioner

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**Otter Tail Corporation
40.5 MW Otter Tail Project, Cavalier County
Public Convenience and Necessity**

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Otter Tail currently serves approximately 129,000 retail electric customers in eastern North Dakota, western Minnesota and northeastern South Dakota. Otter Tail is an experienced electric generation, transmission and distribution utility with the experience and resources to own a 40.5 MW portion of the Langdon Wind Energy Center.

Otter Tail's most recent integrated resource plan indicates that the additional 40.5 MW of wind generation is needed to meet system resource requirements. Otter Tail has determined that ownership of these facilities is cost-effective compared to energy purchases.

The facilities for which Otter Tail seeks certification were permitted by this Commission in Case No. PU-07-26 where Certificate of Site Compatibility No 6 was issued to Langdon Wind, LLC authorizing construction of the Langdon Wind Energy Center.

The Commission finds public convenience and necessity will be served by construction and ownership of the facilities.

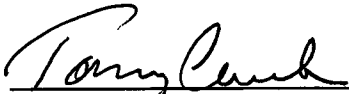
The Commission finds that Otter Tail is fit, willing and able to provide service.

Order

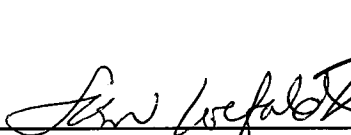
The Commission Orders:

1. The application of Otter Tail Corporation d/b/a Otter Tail Power Company for a certificate of public convenience and necessity to construct and own electric generation facilities in North Dakota is GRANTED.
2. Certificate of Public Convenience and Necessity No. 5336 is issued to Otter Tail to construct and operate a 40.5 MW portion of the Langdon Wind Energy Center.

PUBLIC SERVICE COMMISSION



Tony Clark
Commissioner



Susan E. Wefald
President



Kevin Cramer
Commissioner

PUBLIC SERVICE COMMISSION

STATE OF NORTH DAKOTA

Certificate of Public Convenience and Necessity

Certificate Number 5336

This is to certify that public convenience and necessity require, and permission is granted for Otter Tail Corporation, to construct and own a 40.5 MW portion of the Langdon Wind Energy Center located in Cavalier County, North Dakota.

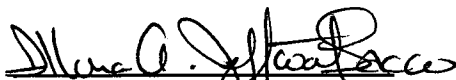
This certificate is issued in accordance with the Order of this Commission dated November 21, 2007 in Case No. PU-07-607, and is subject to the conditions and limitations noted in the Order.

This certificate is conditioned upon Otter Tail Corporation securing the franchise or other authority of the proper municipal or other public authority for the exercise of these rights and privileges.

Bismarck, North Dakota, November 21, 2007.

ATTEST:

PUBLIC SERVICE COMMISSION


Executive Director


Commissioner

APPROVED

DATE: 11-21-07
JRL

MOTION

November 21, 2007

**Otter Tail Corporation
40.5 MW Otter Tail Project, Cavalier County
Public Convenience and Necessity**

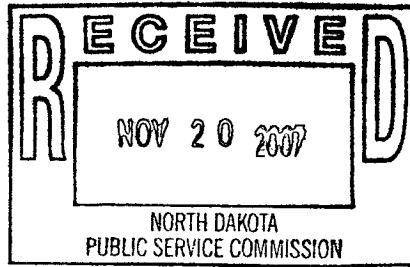
Case No. PU-07-607

I move the Commission adopt the Order and issue a certificate of public convenience and necessity authorizing Otter Tail Corporation to construct and own a 40.5 MW portion of the 159 MW Langdon Wind Energy Center in Cavalier County, North Dakota, Case No. PU-07-607.

JRL



November 16, 2007



Fargo office: 4334 18th Avenue S.W.
Suite 200, P.O. Box 9156
Fargo, ND
58106-9156
Fax: 701-232-4108

Fergus Falls office: 215 S. Cascade Street
P.O. Box 496
Fergus Falls, MN
56538-0496
Fax: 218-998-3165

1-866-410-8780 • www.ottertail.com

Reply to Fergus Falls office
Direct: 218-998-7152

Illona Jeffcoat-Sacco, Executive Secretary
North Dakota Public Service Commission
600 East Boulevard, Dept. 408
Bismarck, ND 58505-0408

**Re: Otter Tail Corporation, d/b/a Otter Tail Power Company
Application for a Certificate of Public Convenience & Necessity
Case No. PU-07-607**

Dear Ms. Jeffcoat-Sacco:

Enclosed in the above-referenced matter are an original and seven (7) copies of an Affidavit of Bryan Morlock dated November 16, 2007.

Thank you for your attention to this matter.

Sincerely,

Mark B. Bring
Associate General Counsel
MB/dm

Enclosures

L:\Otter Tail Power\Wind\Langdon\PC&N\lt.cover.PC&N.doc

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

**Otter Tail Corporation,
40.5 MW Otter Tail Project, Cavalier County
Public Convenience and Necessity**

Case No. PU-07-607

AFFIDAVIT OF BRYAN MORLOCK

1. I am employed by Otter Tail Power Company as Manager of Resource Planning, and I make this affidavit on the basis of my own personal knowledge and belief as to the matters contained herein.
2. Otter Tail has provided retail electric service in North Dakota since 1909.
3. Otter Tail is a Minnesota corporation duly authorized to do business in the State of North Dakota as a foreign corporation, and is doing business in the State of North Dakota as a public utility subject to the jurisdiction of and regulation by the Commission under NDCC Title 49, as amended.
4. This project is accurately depicted in the attachments to the Application for a Certificate of Public Convenience and Necessity filed with the Commission on August 9, 2007.
5. Otter Tail is an experienced electric generation, transmission, and distribution utility with the expertise and resources to own the 40.5 megawatt project.
6. Otter Tail's most recent integrated resource plan has identified a need for 160 megawatts of new renewable electric generation, of which this 40.5 megawatt project will satisfy approximately 25 percent.
7. Various attributes of renewable electric generation ownership, including the availability of wind tax incentives and a reasonable rate of return on invested capital, indicate that at least some of the identified need for renewable electric generation be satisfied through ownership by Otter Tail, as opposed to power purchase agreements.
8. Given these various attributes of ownership and the corresponding energy value provided to our consumers, public convenience and necessity require Otter Tail's construction and operation of this particular project.
9. The facilities that are the subject of this docket will be included in Otter Tail's next rate case or in a rate rider filing.
10. Otter Tail's construction or extension of its line, plant, or system will not unreasonably interfere with the service or system of any other electric public utility or electric cooperative corporation.

11. Otter Tail is not extending retail service to any new electric service customers in connection with this project.
12. Otter Tail has received the consent of Cavalier County, North Dakota to the rights provided under the Conditional Use Permit granted Langdon Wind, LLC, to the extent relating to the Otter Tail project, as reflected in Exhibits A and B as attached.
13. The facilities that are the subject of this docket will be constructed to comply with the standards of the National Electrical Safety Code.

Bryan D. Marlock
Name

Subscribed and sworn to before me this 16th day of November, 2007.

(NOTARIAL SEAL)

Nancy D. Tollerson
Notary Public





| | |
|------------------------------------|-----------------------------|
| Fargo office: | Fergus Falls office: |
| 4334 18th Avenue S.W. | 215 S. Cascade Street |
| Suite 200, P.O. Box 9156 | P.O. Box 496 |
| Fargo, ND | Fergus Falls, MN |
| 58106-9156 | 56638-0496 |
| Fax: 701-232-4108 | Fax: 218-998-3165 |
| <hr/> | |
| 1-866-410-8780 • www.ottertail.com | |

November 14, 2007

Reply to Fergus Falls office
Direct: 218-998-7152

Cavalier County Zoning Commission
c/o Ms. Dawn Roppel,
Cavalier County Zoning Administrator
901 3rd Street
Langdon, North Dakota 58245

Re: Conditional Use Permit for Langdon Wind Farm

Ladies and Gentlemen:

Attached is a copy of the Conditional Use Permit, dated May 1, 2007, issued by the Cavalier County Zoning Commission to Langdon Wind, LLC ("Landon Wind"), as amended by amendment dated July 10, 2007, together with the related Building Permit, as amended (collectively, the "Conditional Use Permit").

As you may know, Langdon Wind has agreed to sell an approximately 40.5 MW portion of the "Wind Farm" that is the subject of the Conditional Use Permit (such portion, the "OTP Project") to Otter Tail Corporation, d/b/a Otter Tail Power Company ("OTP").

Upon the closing of the sale of the OTP Project to OTP, OTP and Langdon Wind contemplate that Langdon Wind will also sell, assign, transfer and deliver to OTP, and OTP will acquire and assume and be responsible for, all of Langdon Wind's right, title and interest in the Conditional Use Permit, and all of Langdon Wind's liabilities under the Conditional Use Permit (subject to certain limited exceptions), to the extent (and only to the extent) relating to the OTP Project (such transactions, the "Partial Transfer").

You are requested to countersign a copy of this letter in the space provided below and return a countersigned copy of this letter to evidence your acknowledgment and confirmation that: (i) the Conditional Use Permit is in full force and effect and, to your knowledge, Langdon Wind is in compliance with the Conditional Use Permit, (ii) the consummation of the Partial Transfer will not invalidate or violate the Conditional Use Permit and (iii) upon consummation of the Partial Transfer, OTP may rely upon, and will be recognized as the holder of, the Conditional Use Permit, to the extent relating to the OTP Project.

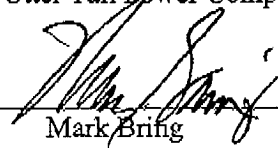
Please fax a counter-signed copy of this letter to our counsel, Jones Day, attention of Patrick Matthews at fax number 312-782-8585.

Cavalier County Zoning Commission
November 14, 2007
Page 2

We appreciate your assistance in this matter. Please feel free to call Patrick Matthews at 312-269-1544 with any questions.

Very truly yours,

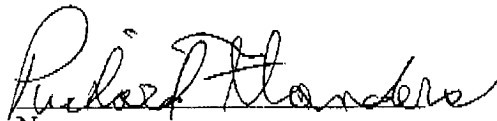
OTTER TAIL CORPORATION,
d/b/a Otter Tail Power Company

By: 
Mark Brifig
Associate General Counsel

Attachment

Acknowledged and confirmed:

Cavalier County Zoning Commission

By: 
Name:
Title: *Chairman*

Dated: November 15, 2007

**Cavaller County, North Dakota
Conditional Use Permit**

1. Langdon Wind, LLC having submitted an Application for the construction of a "Wind Farm" to include wind turbine generators with associated towers, foundations, substation, operation and maintenance building and other improvements upon the following described property:

Manila Township:

All of Sections 27 and 34

Northwest quarter and West half of the Northeast quarter of Section 26

ALL in Township 161N, Range 59W

Easby Township:

All of Sections 3, 4, 5, 7, 8, 9, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32 and 33

North half of Section 2

All of Section 6, except the East half of the Southwest quarter

North half and Southwest quarter of Section 10

ALL in Township 160N, Range 59W

Osnabrock Township:

All of Sections 3, 4, 8, 17, 18, 20, 21, and 22

North half and Southeast quarter of Section 5

North half and Southwest quarter of Section 6

North half and Southeast quarter of Section 7

North half and Southwest quarter of Section 9

West half of Southwest quarter of Section 14

South half of Section 15

Southwest quarter of Section 16

Section 19 (except Waterfowl Production Area)

Northwest quarter, except the Northeast quarter of the Northwest quarter of Section 23

ALL in Township 159N, Range 59W

Perry Township:

All of Sections 12, 13, 24, 25, 35 and 36

South half and Northeast quarter of Section 1

East half of East half of Section 11

Northeast quarter of Section 14

East half of Section 26

ALL in Township 160N, Range 60W

Nekoma Township:

All of Sections 1, 13 and 24

Northeast quarter of Section 11

North half and North half of South half of Section 12

ALL in Township 159N, Range 60W

2. Said "Wind Farm" being a conditional use as defined by the Cavalier County Zoning Regulations.
3. Dawn Roppel, the Cavalier County Zoning Administrator, having denied the permit and having referred the Application to the Cavalier County Zoning Commission.
4. Notice of a Public Hearing regarding the Application having been published in the Cavalier County Republican on April 9 and April 16, 2007, a hearing was held April 24, 2007, at 2:00 p.m. in the meeting room of the Cavalier County Courthouse before the Cavalier County Zoning Commission.
5. Langdon Wind, LLC having presented testimony regarding its Application and the Commission having given opportunity to all present to question or comment on the Application, and the Commission having made the following Findings of Fact:

A. The conditional use will not be a detriment or endanger public health, safety, morals or general welfare. The Applicant's proposed conditional use will be compliant with all federal, state and local regulations to protect public safety and welfare including, but not limited to, the U.S. Game and Fish Department, the North Dakota Department of Game and Fish, the North Dakota State Water Commission and the State Historical Society.

Further, the project will provide up to \$500,000.00 per year in property taxes to the County of Cavalier and will provide significant economic benefits to the local community and the affected landowners.

- B. The existing permitted use in the property affected is agriculture and said use will be impacted minimally by the proposed construction.
- C. The proposed conditional use will not impede the normal and orderly development of the surrounding property.
- D. The Applicant will be responsible for providing adequate roads, drainage and other necessary site improvements for the proposed construction.
- E. The Applicant will provide gated access roads to the proposed construction to minimize traffic congestion.
- F. No construction will be in a floodway or flood plain.
- G. The conditional use complies with all applicable regulations.
- H. Cavalier County will not be required to provide any infrastructure for the project.

The Commission having made said findings and upon motion of Bill Hardy and a second by Lawrence Henry, the Commission moved to grant Langdon Wind, LLC's Application for construction of the "Wind Farm" upon the following conditions:

1. Langdon Wind LLC shall locate all wind turbines so as to maintain a setback distance from the right of way line of all existing public roads and above-ground utility

easements equal to or greater than the maximum height of the wind turbine measured with a blade tip at its highest point, except in specific instances that may be allowed in the special use permit.

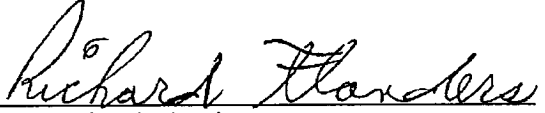
2. Langdon Wind LLC shall locate all wind turbines so as to maintain a setback distance of 1400 feet or more from any existing, occupied residence, whether located within or outside the Project area. New structures built adjacent to wind power facilities shall maintain these same minimum setbacks requirements.
3. Langdon Wind LLC shall construct the Project in accordance with generally accepted engineering practice and in accordance with all applicable federal, state and local regulations.
4. Langdon Wind LLC shall obtain all required permits from other governmental agencies (such as the Federal Aviation Administration) prior to commencing construction or as otherwise required by the applicable laws and regulations.
5. Langdon Wind LLC shall provide final site location information to the applicable Zoning Administrator prior to commencing construction.
6. Langdon Wind LLC will work with local rescue authorities to provide training (at Langdon Wind LLC's expense) to personnel who can assist with a rescue from a wind turbine or tower.
7. Langdon Wind LLC will provide a graphic Site Plan Exhibit including the easement boundaries for each property to the Zoning Administrator for approval before construction begins. Langdon Wind LLC will furnish the Zoning Administrator with certified "As-Built" site plans and easement descriptions showing the location of wind turbines, roads, transmission lines and all other improvements.
8. Langdon Wind LLC shall provide dust control measures as may be reasonably required by the County during construction and shall repair any roads, drainage facilities or other infrastructure damaged by Project construction or maintenance facilities.
9. Within one year after the end of the term (including extensions and renewals) of an easement agreement with any landowners participating in the Project, Langdon Wind LLC shall remove all physical materials pertaining to the Project located on such landowner's property (except for roads participating landowners do not want removed) to a depth of three feet below the surface of the ground. After removal, Langdon Wind LLC shall restore the ground as nearly as possible to the condition it was in prior to construction of the Project.
10. The intention of this Application is to complete construction of 106 wind turbines with associated roads and electric cables by December 31, 2007. To allow for contingencies in securing permits and contracts, Langdon Wind LLC shall be required to begin construction of the Project within three (3) years and complete the full expansion of the Project within five (5) years of the granting of this Conditional Use Permit. The Permit will continue as long as wind turbines are operational within the permit area.

11. All wind turbines and other equipment shall be new equipment commercially available from a reliable manufacturer.
12. Langdon Wind LLC will approve all haul routes with the County Road Supervisor.
13. Langdon Wind LLC will restore all roads to their original condition after construction is complete, unless otherwise agreed to by the County, and repair any road damaged during ongoing maintenance of the Project.

Said Motion having passed unanimously upon a vote of the Commission, the Zoning Administrator was directed to issue the building permit to the Applicant.

Dated this the 15th day of May, 2007.

Cavalier County Zoning Commission

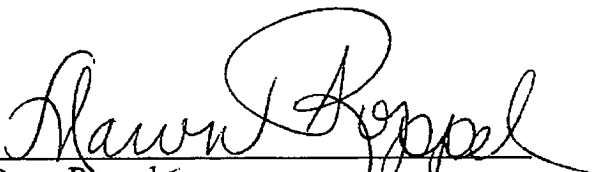

By: Richard Flanders
Its: Chairman

Building Permit

The fee of \$25.00 having been submitted, Langdon Wind LLC is hereby issued a Building Permit for the construction of a "Wind Farm" upon the property and subject to the conditions set forth above.

Dated this the 15th day of May, 2007.




Dawn Roppel
Cavalier County Zoning Administrator



North Dakota Newspaper Association

1435 Interstate Loop
Bismarck, ND 58503-0567
Ph (701) 223-6397 • Fax (701) 223-8185

INVOICE

Order **24131-07104PP0**

Invoice # **96399**

November 2, 2007

Attn: **ILLONAA. JEFFCOAT-SACCO**
PUBLIC SERVICE COMMISSION
600 E. BOULEVARD AVE.
STATE CAPITOL
BISMARCK, ND 58505

Voice: 701-328-4076

Advertiser: **Public Service Commission**

P.O.#:

Amount Due

\$253.87

Amount Paid

Please detach and return this portion with your payment

Public Service Commission Invoice # 24131-07104PP0-96399

Pa-07-607 *obj*

| Ad Size | Rate Type | Rate | Total | Discount (%) | Caption | Page | Run Date |
|---|-----------|------|-------|--------------|------------------------|------|----------|
| Bismarck Tribune (Bismarck ND) | | | | | | | |
| ✓ 48.00 | SPR2 | 0.69 | 33.12 | 0.00 | Otter Tail - PU-07-607 | | 10/16/07 |
| Devils Lake Daily Journal (Devils Lake ND) | | | | | | | |
| 47.00 | SPR2 | 0.70 | 32.90 | 0.00 | Otter Tail - PU-07-607 | | 10/16/07 |
| Fargo, The Forum (Fargo ND) | | | | | | | |
| 43.00 | SPR2 | 0.59 | 25.37 | 0.00 | Otter Tail - PU-07-607 | | 10/22/07 |
| Grand Forks Herald (Grand Forks ND) | | | | | | | |
| ✓ 51.00 | SPR2 | 0.63 | 32.13 | 0.00 | Otter Tail - PU-07-607 | | 10/16/07 |
| Jamestown Sun (Jamestown ND) | | | | | | | |
| ✓ 52.00 | SPR2 | 0.66 | 34.32 | 0.00 | Otter Tail - PU-07-607 | | 10/16/07 |
| Minot Daily News (Minot ND) | | | | | | | |
| ✓ 61.00 | SPR2 | 0.53 | 32.33 | 0.00 | Otter Tail - PU-07-607 | | 10/16/07 |
| Valley City Times-Record (Valley City ND) | | | | | | | |
| 49.00 | SPR2 | 0.64 | 31.36 | 0.00 | Otter Tail - PU-07-607 | | 10/16/07 |
| Wahpeton Daily News (Wahpeton ND) | | | | | | | |
| ✓ 66.00 | SPR2 | 0.49 | 32.34 | 0.00 | Otter Tail - PU-07-607 | | 10/16/07 |

| | | | | | |
|-------------------|--------|--------------|--------|--------------|--------|
| Gross Advertising | 253.87 | Total Misc | 0.00 | Amount Paid | 0.00 |
| Agency Discount | | Tax | 0.00 | Adjustments | 0.00 |
| Other Discount | 0.00 | Total Billed | 253.87 | Payment Date | |
| Service Charge | 0.00 | Unbilled | 0.00 | Balance Due | 253.87 |

Your payment is due upon receipt. Thank you in advance for your prompt payment!

8 PU-07-607

Pages: 11

Invoice 96399 \$253.87 & Accompanying
Paperwork
by Public Service Commission by ND Newspaper Assn
11/02/2007 C: Comm Legal, Illona Pat, Jerry . .

Geiger, Gloria A.

From: Bauske, Shelly A.
Sent: Thursday, October 11, 2007 9:57 AM
To: Geiger, Gloria A.
Subject: FW: Public Service Commission Notice of Opportunity for Hearing - PU-07-607
Attachments: 2.doc

From: Bauske, Shelly A.
Sent: Wednesday, October 10, 2007 12:16 PM
To: 'Colleen Park'
Subject: Public Service Commission Notice of Opportunity for Hearing - PU-07-607

Colleen Park
North Dakota Newspaper Association

Please have the attached "Notice of Opportunity for Hearing" published as a legal publication in the next issue (but no later than October 23) of:

Bismarck Tribune
Devils Lake Journal
Grand Forks Herald
Minot Daily News
The Daily News
The Fargo Forum
The Jamestown Sun
Valley City Times-Record.

Do not publish in the classifieds.

Please run it as a "News Item Only" article as well, and send the bill to the Public Service Commission along with a tear sheet for billing purposes.

Please confirm that you received the Notice.

Thank you.

Affidavit of Publication

Colleen Park

, being duly sworn, state as follows:

1. I am the designated agent, under the provisions and for the purposes of, Section 31-04-06, NDCC, for the newspapers listed on the attached exhibits.

2. The newspapers listed on the exhibits published the advertisement of:

Public Service Commission, Otter Tail PU-07-607

1 time(s) as required by law or ordinance.

3. All of the listed newspapers are legal newspapers in the State of North Dakota and, under the provisions of Section 46-05-01, NDCC, are qualified to publish any public notice or any matter required by law or ordinance to be printed or published in a newspaper in North Dakota.

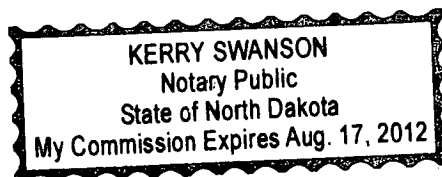
Signed: Colleen Park

State of ND

County of Burleigh

Subscribed and sworn to before me this 30th day of October 20 07.

Kerry Swanson



Case No: PU-07-607

Notice of opportunity for hearing

Published in:

10/16 – Wahpeton

10/16 – Valley City

10/16 – Minot

10/16 – Jamestown

10/16 – Grand Forks

10/22 – Fargo

10/16 – Devils Lake

10/16 – Bismarck

Bauske, Shelly A.

From: Colleen Park [colleenp@ndna.com]
Sent: Thursday, October 11, 2007 9:45 AM
To: Bauske, Shelly A.
Subject: RE: Public Service Commission Notice of Opportunity for Hearing - PU-07-607

Received. The notice can be in the first paper on 10/16 and the last paper to publish will be the Forum on 10/22.

Colleen

Colleen Park
North Dakota Newspaper Association
Advertising Coordinator / Public Notice Coordinator
1435 Interstate Loop • Bismarck ND 58503
Phone 701.223.6397 • Fax 701.223.8185

Every job is a self-portrait of the person who did it ... autograph yours with excellence.

From: Bauske, Shelly A. [mailto:sbauske@nd.gov]
Sent: Wednesday, October 10, 2007 12:16 PM
To: Colleen Park
Subject: Public Service Commission Notice of Opportunity for Hearing - PU-07-607

Colleen Park
North Dakota Newspaper Association

Please have the attached "Notice of Opportunity for Hearing" published as a legal publication in the next issue (but no later than October 23) of:

Bismarck Tribune
Devils Lake Journal
Grand Forks Herald
Minot Daily News
The Daily News
The Fargo Forum
The Jamestown Sun
Valley City Times-Record.

Do not publish in the classifieds.

Please run it as a "News Item Only" article as well, and send the bill to the Public Service Commission along with a tear sheet for billing purposes.

Please confirm that you received the Notice.

Thank you.

7 **PU-07-607**

Pages: 1

Email re publication of notice

1

by North Dakota Advertising Service, Inc. by C Park
10/11/2007 C: Comm Legal, Ilona Pat, Jerry .

Bauske, Shelly A.

From: System Administrator
To: dickvoight@clearchannel.com
Sent: Wednesday, October 10, 2007 1:37 PM
Subject: Undeliverable: Notice of Opportunity for Hearing - Case No. PU-07-607

Your message did not reach some or all of the intended recipients.

Subject: Notice of Opportunity for Hearing - Case No. PU-07-607
Sent: 10/10/2007 1:36 PM

The following recipient(s) cannot be reached:

dickvoight@clearchannel.com on 10/10/2007 1:37 PM

There was a SMTP communication problem with the recipient's email server. Please contact your system administrator.

<itdemailfe2.nd.gov #5.5.0 smtp;501 #5.1.1 bad address>

dickvoight@clearchannel.com>

6 PU-07-607

Pages: 1

1

Returned email to Dick Voight notice of hearing
by Public Service Commission by Bauske

10/10/2007

C: Comm Legal, Illona Pat, Jerry . .

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Otter Tail Corporation
40.5 MW Otter Tail Project, Cavalier County
Public Convenience and Necessity

Case No. PU-07-607

AFFIDAVIT OF SERVICE BY ORDINARY MAIL OR ELECTRONIC MAIL

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

Shelly A. Bauske deposes and says that:

she is over the age of 18 years and not a party to this action and, on the **10th day of October, 2007**, she deposited in the United States Mail, Bismarck, North Dakota, envelopes by first class mail, fully prepaid, securely sealed or via electronic mail, each containing a copy of:

Notice of Opportunity for Hearing

The electronic mail or envelopes were addressed as follows:

See Attached List

Each address shown is the respective addressee's last reasonably ascertainable post office or electronic mail address.

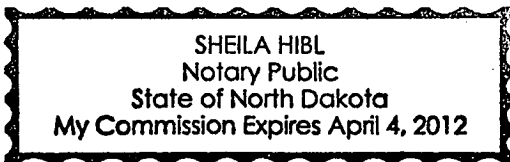
Subscribed and sworn to before me
this 10th day of October 2007.

Shelly A Bauske

Sheila Hibl

Notary Public

SEAL



nanso@cablenet.net
James M Nessa

3500 8th Ave S #201
Moorhead MN 56560

bdenver@btinet.net
News Director
KBMR AM-KQDY FM
3500 E Rosser Ave
Bismarck ND 58501

rickstensby@clearchannel.com
KCJB, KRRZ AM and KMXA, KYYZ, KIZZ
PO Box 10
Minot ND 58702-0010

kzzynews@stellarnet.com
News Director
KDLR AM and KDVL, KQZZ FM Radio
Box 190
Devils Lake ND 58301-0190

richard.mattern@ndsu.nodak.edu
Rich Mattern
KDSU-FM Radio
PO Box 5347
Fargo ND 58105-5347

patmclean@clearchannel.com
KKXL AM and KKXL, KQHT, KJKJ, KSNR
PO Box 13598
Grand Forks ND 58208-3598

kndk1080@utma.com
KNDK-AM
HCR 5 Box 9
Langdon ND 58249

bigdog@daktel.com
KXGT and KYNU FM, KQDJ AM Radio
203 1st Ave S PO Box 1170
Jamestown ND 58402-1170

treiten@kxnet.com
KXMB TV
Box 1617
Bismarck ND 58502-1617

kzzj@kzzj.com
KZZJ-AM
230 Highway 2 SE
Rugby ND 58368-2446

ar.smith@11tv18imax.com

KAOC, KAUJ, KYTZ FM and KXPO AM radio
856 W 12 St
Grafton ND 58237

gary.rogers@kbmwam.com
KBMW-AM
PO Box 1115
Wahpeton ND 58074-1115

kdakam@daktel.com
News Director
KDAK AM
Box 50
Carrington ND 58421-0050

dthompson@prairiepublic.org
News Director
KDSU KCND KPRJ KMPR KPPR KDPR
1814 North 15th Street
Bismarck ND 58501

dickvoight@clearchannel.com
KFGO
Box 2966
Fargo ND 58102-2966

mlyman@kmot.com
KMOT TV
Box 1120
Minot ND 58702-1120

news@ksjbam.com
News Director
KSJB AM and KSJZ FM Radio
PO Box 5180
Jamestown ND 58402-5180

mail@kvlytv11.com
KXJB-TV 4
4302 13th Ave S
Fargo ND 58103-3313

jolson@kxmcnews.com
KXMC TV
Box 1686
Minot ND 58701-1686

craig_scott@bobcat.com
Craig Scott
Melroe Company
P O Box 128
Gwinner ND 58040-0128

dellefson@otpc.com
Dennis Ellefson
Otter Tail Corporation
215 S Cascade Street
Fergus Falls MN 56538-0496

pbeithon@otpc.com
Pete Beithon
Otter Tail Corporation
215 S Cascade Street
Fergus Falls MN 56538-0496

rdenault@otpc.com
Russ Denault
Otter Tail Corporation
410 College Ave
Crookston MN 56716

alaamodt@wday.com
WDAY AM-FM & TV
PO Box 2466
Fargo ND 58108-2466

gcoyne@otpc.com
Geri Coyne
Otter Tail Corporation
PO Box 410
Oakes ND 58474-0410

tgreene@otpc.com
Tim Greene
Otter Tail Corporation
215 S Cascade Street
Fergus Falls MN 56538-0496

bbrutlag@otpc.com
Bernadeen Brutlag
Otter Tail Corporation
215 S Cascade Street
Fergus Falls MN 56538-0496

news@wdaz.com
WDAZ-TV
PO Box 12639
Grand Forks ND 58208-2639

Patricia Estes
Daily News
PO Box 760
Wahpeton ND 58074-0760

Mark Frederiksen
Economic Insights
416 Center St #365
Washington Grove MD 20880

News Director
KHND AM Radio
PO Box 6
Harvey ND 58341-0006

KHRT AM
PO Box 1210
Minot ND 58702-1210

KNOX-AM & KRRK-FM
PO Box 13638
Grand Forks ND 58208-3638

KOVC AM and KQDJ FM Radio
136 North Central Avenue P O Box 994
Valley City ND 58072-0994

KTHI-TV
 Fargo ND 58107-1878

Mike Foley
NARUC
1101 Vermont Avenue NW Ste 200
Washington DC 20005

Everett Morris
NJ Public Service Electric & Gas
80 Park Pl
Newark NJ 07101

Andrew Anderson
Otter Tail Corporation
215 S Cascade Street
Fergus Falls MN 56538-0496

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Otter Tail Corporation
40.5 MW Otter Tail Project, Cavalier County
Public Convenience and Necessity

Case No. PU-07-607

AFFIDAVIT OF SERVICE BY ORDINARY MAIL

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

Shelly A. Bauske deposes and says that:

she is over the age of 18 years and not a party to this action and, on the 10th day of October, 2007, she deposited in the United States Mail, Bismarck, North Dakota, three envelopes with postage fully prepaid, securely sealed and each containing a photocopy of:

Notice of Opportunity for Hearing

The envelopes were addressed as follows:

Mark B. Bring
Associate General Counsel
Otter Tail Corporation
215 S Cascade St
Fergus Falls MN 56537

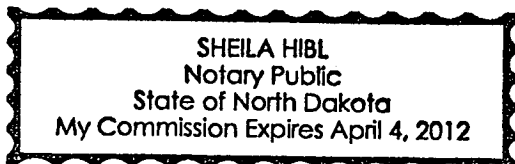
Bernadeen Brutlag
Manager Regulatory Services
Otter Tail Power Company
215 S Cascade St
Fergus Falls MN 56537

Al Koeckeritz
Manager Delivery Projects
Otter Tail Power Company
215 S Cascade St
Fergus Falls MN 56537

Each address shown is the respective addressee's last reasonably ascertainable post office address.

Subscribed and sworn to before me
this 10th day of October 2007.

SEAL



Shelly A Bauske

Sheila Hibel
Notary Public

4 PU-07-607

Pages: 1

Affidavit of service w notice of hearing 3
addressees
by Public Service Commission by Bauske

10/10/2007

C: Comm Legal. illona Pat. Jerry ..

APPROVED

DATE: 10-3-07
SPB

MOTION

October 3, 2007

**Otter Tail Corporation
40.5 MW Otter Tail Project, Cavalier County
Public Convenience and Necessity**

Case No. PU-07-607

I move the Commission issue a Notice of Opportunity for Hearing in the application of Otter Tail Corporation for a certificate of public convenience and necessity to construct and own a 40.5 MW portion of the 159 MW Langdon Wind Energy Center being developed in Cavalier County, North Dakota, Case No. PU-07-607.

JRL

MOTION

October 3, 2007

**Otter Tail Corporation
40.5 MW Otter Tail Project, Cavalier County
Public Convenience and Necessity**

Case No. PU-07-607

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JRL

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Otter Tail Corporation
40.5 MW Otter Tail Project, Cavalier County
Public Convenience and Necessity

Case No. PU-07-607

NOTICE OF OPPORTUNITY FOR HEARING
October 3, 2007

On August 9, 2007 Otter Tail Corporation d/b/a Otter Tail Power Company filed an application for a Certificate of Public Convenience and Necessity (PC&N) to construct and own a 40.5 MW portion of the 159 MW Langdon Wind Energy Center and associated 34.5 kV collector lines and electrical facilities being developed by Langdon Wind, LLC in Cavalier County, North Dakota.

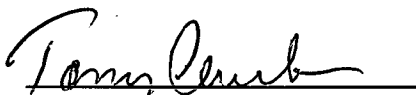
The issues to be considered in these matters are:

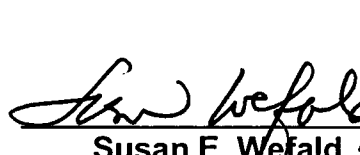
1. Whether Public Convenience and Necessity will be served by construction and ownership of the facilities.
2. Whether the applicants are fit, willing and able to provide service.

Those interested are invited to comment on the application in writing. Persons desiring a hearing must file a written request identifying their interest in the proceeding and the reasons for requesting a hearing. Comments and requests for hearings must be received by **November 13, 2007**. If deemed appropriate, the Commission can determine these matters without a hearing.

For more information contact the Public Service Commission, State Capitol, Bismarck, North Dakota 58505, 701-328-2400; or Relay North Dakota 1-800-366-6888 TTY. If you require any auxiliary aids or services, such as readers, signers, or Braille materials please notify Ilona Jeffcoat-Sacco, Executive Secretary.

PUBLIC SERVICE COMMISSION


Tony Clark
Commissioner


Susan E. Wejald
President


Kevin Cramer
Commissioner

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**Otter Tail Corporation
40.5 MW Otter Tail Project, Cavalier County
Public Convenience and Necessity**

Case No. PU-07-607

**NOTICE OF OPPORTUNITY FOR HEARING
October 3, 2007**

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The issues to be considered in these matters are:

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PUBLIC SERVICE COMMISSION

**Tony Clark
Commissioner**

**Susan E. Wefald
President**

**Kevin Cramer
Commissioner**



Fargo office: 4334 18th Avenue S.W.
Suite 200, P.O. Box 9156
Fargo, ND
58106-9156
Fax: 701-232-4108

Fergus Falls office: 215 S. Cascade Street
P.O. Box 496
Fergus Falls, MN
56538-0496
Fax: 218-998-3165

1-866-410-8780 • www.ottertail.com

August 8, 2007

Reply to Fergus Falls office
Direct: 218-998-7152

Illona Jeffcoat-Sacco, Executive Secretary
North Dakota Public Service Commission
600 East Boulevard, Dept. 408
Bismarck, ND 58505-0408



**Re: Otter Tail Corporation, d/b/a Otter Tail Power Company
Application for a Certificate of Public Convenience & Necessity**

Dear Ms. Jeffcoat-Sacco:

Enclosed in the above-referenced matter are an original and seven (7) copies of Otter Tail Corporation's, d/b/a Otter Tail Power Company, Application for a Certificate of Public Convenience & Necessity to construct and own a 40.5 MW portion of the 159 MW Langdon Wind Energy Center and associated 34.5 kV collector line and electrical facilities in Cavalier County, referred to in the Application as the "40.5 MW Otter Tail Project."

Sincerely,

Mark Bring
Associate General Counsel
MB/dm

Enclosures

L:\Otter Tail Power\Wind\Langdon\PC&N\lt.cover.PC&N.doc

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF NORTH DAKOTA**

In the Matter of the Application of)
Otter Tail Corporation, d/b/a)
Otter Tail Power Company, a Minnesota)
Corporation, for a Certificate of)
Public Convenience and Necessity For)
the Langdon Wind Energy Project)
Case No. PU-_____

**APPLICATION FOR
CERTIFICATE OF PUBLIC CONVENIENCE
AND NECESSITY**

Pursuant to N.D.C.C. Chapter 49-03 and N.D.A.C. § 69-02-02-04, Otter Tail Corporation, d/b/a Otter Tail Power Company (“Otter Tail” or “the Company” or “Applicant”), a Minnesota Corporation, respectfully submits this application (“Application”) for a Certificate of Public Convenience and Necessity (“CPCN”) to construct and own a 40.5 MW portion of the 159 MW Langdon Wind Energy Center and associated 34.5 kV collector line and electrical facilities (hereinafter “Otter Tail 40.5 MW Project”) in Cavalier County, North Dakota, being developed by Langdon Wind, LLC (“Langdon Wind”), a wholly owned subsidiary of FPL Energy, LLC (“FPLE”), a Delaware Limited Liability Company, headquartered in Juno Beach, Florida. The Langdon Wind Energy Center was described in detail in the administrative record before the Commission in Case No. PU-07-26.¹

The Otter Tail 40.5 MW Project is not required to extend service to new retail customers of the Company in North Dakota. Rather the Company’s integrated resource plan (“IRP”) calls for 160 MW of additional wind energy generation resources.

¹ Siting Application of FPL Energy, LLC filed January 22, 2007; Certificate of Site Compatibility issued May 31, 2007.

A. COMMUNICATIONS AND SERVICE

Otter Tail respectfully requests that the following persons be placed on the Commission's official service list for all official communications in this case:

Mark B. Bring
Associate General Counsel
Otter Tail Corporation
215 South Cascade Street
Fergus Falls, MN 56537
Tel. 218-998-7152

Bernadeen Brutlag
Manager, Regulatory Services
Otter Tail Power Company
215 South Cascade Street
Fergus Falls, MN 56537
Tel. 218-739-8289

Al Koeckeritz
Manager, Delivery Projects
Otter Tail Power Company
215 South Cascade Street
Fergus Falls, MN 56537
Tel. 218-739-8416

B. STATUTORY PROVISIONS

The statutory provisions governing the requirement for a public utility to file for and obtain a CPCN are as follows:

49-03-01. Certificate of public convenience and necessity – Secured by electric public utility. No electric public utility henceforth shall begin construction or operation of a public utility plant or system, or of an extension of a plant or system,...without first obtaining from the commission a certificate that public convenience and necessity require or will require such construction and operation....

49-03-01.1. Limitation on electric transmission and distribution lines, extensions, and service by electric public utilities. No electric public utility henceforth shall...extend its electric transmission or distribution lines beyond or outside of the corporate limits of any municipality, nor shall it serve any customer where the place to be served is not located within the corporate limits of a municipality, unless and until, after application, such electric public utility has obtained an order from the commission authorizing such extension and service and a certificate that public convenience and necessity require that permission be given to extend such lines and to serve such customer.²

² For the reasons set forth in Otter Tail's December 2, 2003, application for a CPCN in Case No. PU-2805-03-677 at page 3, footnote 1; Otter Tail's July 31, 2003 memoranda cited therein; and Capital Electric Co-op. v. Public Service Commission, 534 N.W.2d 587 (N.D. 1995), Otter Tail respectfully but expressly reserves the right to challenge the Commission's authority under N.D.C.C. Chapter 49-03-01 to require a CPCN application.

**C. APPLICATION FOR A CERTIFICATE OF PUBLIC
CONVENIENCE AND NECESSITY**

Otter Tail respectfully submits this Application for a Certificate of Public Convenience and Necessity for the Otter Tail 40.5 MW Project and respectfully requests that the Commission issue a CPCN after a notice of opportunity for hearing is issued in this proceeding, if no party requests a hearing. In support thereof, the Company states as follows:

1. That Applicant's full name and post office address are:

Otter Tail Corporation, d/b/a Otter Tail Power Company
Attn: Mark B. Bring
Associate General Counsel
215 South Cascade Street
Fergus Falls, MN 56537

2. Applicant is a Minnesota corporation duly authorized to do business in the State of North Dakota as a foreign corporation, and is doing business in the State of North Dakota as a public utility subject to the jurisdiction of and regulation by the Commission under N.D.C.C. Title 49, as amended.

3. Applicant's Certificate of Incorporation and Amendments thereto have been previously filed with the Commission. Such Certificate and Amendments are hereby incorporated by reference, as though fully set forth herein.

4. This Application is being made pursuant to the provisions of Chapter 49-03 of the North Dakota Century Code.

The Otter Tail 40.5 MW Project that is the subject of this Application consists of 40.5 MW of wind generation equipment and associated 34.5 kV collector line and electrical facilities. **Attachment 1** is figure 1 from the Siting Application of FPL Energy LLC filed with the Commission on January 22, 2007 depicting the Langdon Wind Energy Center, with the Otter Tail 40.5 MW Project portion and associated 34.5 kV collector line and electrical

facilities to the north in the depiction. **Attachment 2** again depicts by diagram the Langdon Wind Energy Center with the Otter Tail 40.5 MW Project to the north in the diagram. The F2 zone in Attachment 2 contains fifteen 1.5 MW turbines (1 OT to 15 OT), fifteen 1.75 MVA transformers, one grounding transformer, and underground 34.5 kV distribution feeder or system to be owned by Otter Tail. The F3 zone in Attachment 2 contains twelve 1.5 MW turbines (16 OT to 27 OT), twelve 1.75 MVA transformers, one grounding transformer and underground 34.5 kV distribution feeder or system to be owned by Otter Tail. Additional Otter Tail underground 34.5 kV distribution feeder or system is also depicted, stretching south from zones F2 and F3 to reach a substation that will be owned by FPE Energy. **Attachment 3** is a portion of a site plan that more precisely orients the viewer to locations for facilities comprising the Otter Tail 40.5 MW Project.

5. Applicant seeks authorization to construct and own the Otter Tail 40.5 MW Project to fulfill a portion of the additional wind energy generation called for by the Applicant's most recent IRP. The Company is not extending retail service to any new electric customers in connection with the Otter Tail 40.5 MW Project.

6. Applicant is an experienced electric generation, transmission and distribution utility with the expertise and resources to construct and own the Otter Tail 40.5 MW Project. Otter Tail presently serves more than 129,000 retail electric customers in eastern North Dakota, northwestern Minnesota, and northeastern South Dakota.

7. There will be no change to the Applicant's retail electric service area. Otter Tail's retail electric customers will continue to be served by Applicant under applicable tariffs, rules, and regulations on file with the Commission. It is expected that the facilities

that are the subject of this Application will be included in the Applicant's next rate case or in a rate rider filing.

8. Pursuant to N.D.C.C. § 49-22-24, the facilities shall be constructed to comply with the standards of the National Electrical Safety Code.

9. The Commission has indicated it considers ten (10) factors in determining whether to grant a CPCN for a new electric facility.³ Applicant provides the following response to each of these factors:

- *From whom does the customer prefer electric service?*

Not applicable. No customer has requested direct retail service and the Langdon Wind Energy Center site, including the Otter Tail 40.5 MW Project, will be served by an electric cooperative corporation.

- *What electric suppliers are operating in the general area?*

Not applicable. The Otter Tail 40.5 MW Project will not provide direct retail service in competition with any other retail electric suppliers in the area.

- *What electric supply lines exist within a two-mile radius of the location to be served and when were they constructed?*

Not applicable. The Otter Tail 40.5 MW Project will not provide direct retail service.

- *What customers are served by electric suppliers within at least a two-mile radius of the location to be served?*

Not applicable. The Otter Tail 40.5 MW Project will not provide direct retail service.

³ See testimony of Jerry Lein of the Commission staff, presented to the Interim Electric Industry Competition Committee, April 24, 2000.

- *What are the differences, if any, between the electric suppliers available to serve the area with respect to reliability of service?*

Not applicable. The Otter Tail 40.5 MW Project will not provide direct retail service.

- *Which of the available electric suppliers will be able to serve the location in question more economically and still earn an adequate return on its investment?*

Not applicable. The Otter Tail 40.5 MW Project will not extend the Company's retail electric service. However, construction and ownership of the Otter Tail 40.5 MW Project will fulfill a portion of the additional wind energy generation called for by the Applicant's most recent IRP.

- *Would approval of the application result in wasteful duplication of investment or services?*

No.

- *Is it probable that the location in question will be included within the corporate limits of a municipality within the foreseeable future?*

No. The Otter Tail 40.5 MW Project is well outside the corporate limits of any municipality.

- *Will the service by either of the electric suppliers in the area unreasonably interfere with the service or system of the other?*

Not applicable. The Otter Tail 40.5 MW Project does not extend, and will not provide, retail electric service.

As indicated here, most of the ten criteria typically used by the Commission to review a CPCN application are inapplicable, and the Otter Tail 40.5 MW Project satisfies the few remaining criteria.

10. Applicant believes it is in the public interest that Applicant be granted a Certificate of Public Convenience and Necessity for the authority it requests herein, and that public convenience and necessity require or will require such construction and operation. Pursuant to N.D.C.C. § 49-03-02, Otter Tail requests the Commission grant the requested Application not more than 20 days after a notice of opportunity for hearing is issued in this proceeding, if no party requests a hearing. **Attachment 4** provides a form of Notice of Opportunity for Hearing for the convenience of the Commission and staff.

11. Supporting Documents

As described in more detail above, the following attachments enclosed with this Application are required by N.D.C.C. § 49-03-01, et seq.

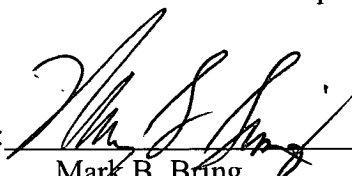
| <u>Attachment</u> | <u>Description</u> |
|-------------------|--|
| 1 | Figure 1 of FPL Energy Siting Application in Case No. PU-07-26 |
| 2 | Langdon Wind Energy Center Collector System Diagram |
| 3 | Site Plan with Otter Tail 40.5 MW Project Facility Locations |
| 4 | Form of Notice of Opportunity for Hearing |

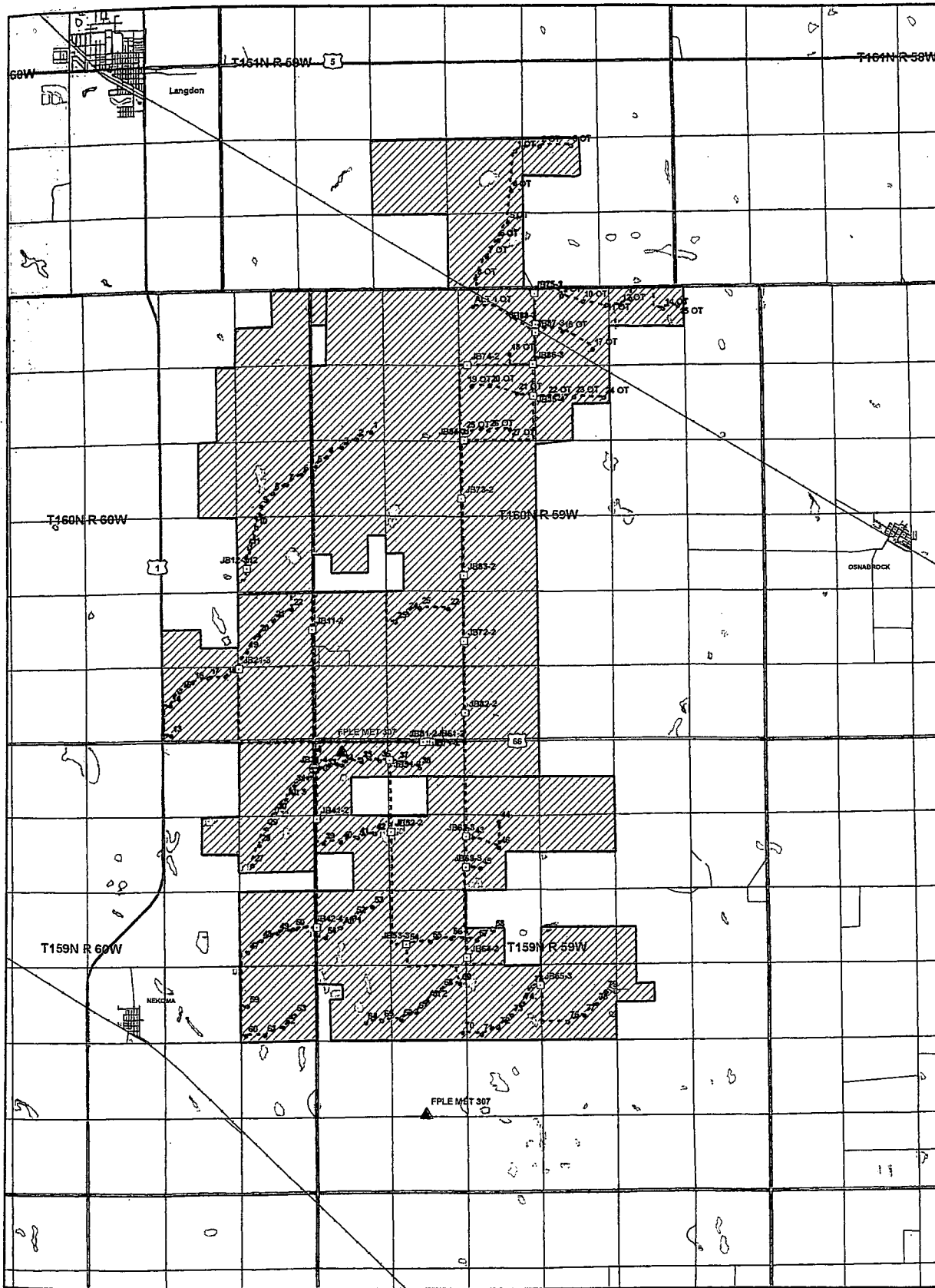
WHEREFORE, Applicant respectfully requests that the Commission:

1. Enter an Order and issue a Certificate of Public Convenience and Necessity authorizing the Applicant to construct and own the Otter Tail 40.5 MW Project, as described herein; and
2. Grant such other relief as the Commission shall deem appropriate.

Dated: 8/8/2007

OTTER TAIL CORPORATION,
d/b/a Otter Tail Power Company

By: 
Mark B. Bring
Associate General Counsel
Otter Tail Corporation



Legend

- Proposed Turbine Locations
- ▲ MET (Meteorological Tower)
- Collection Junction Box
- ▨ Approximate Project Area
- Public Land Survey System (PLSS) Township Section Range
- Ponds/Lakes
- Collection Lines
- Highways
- County Roads
- Railroads
- Streams/Rivers

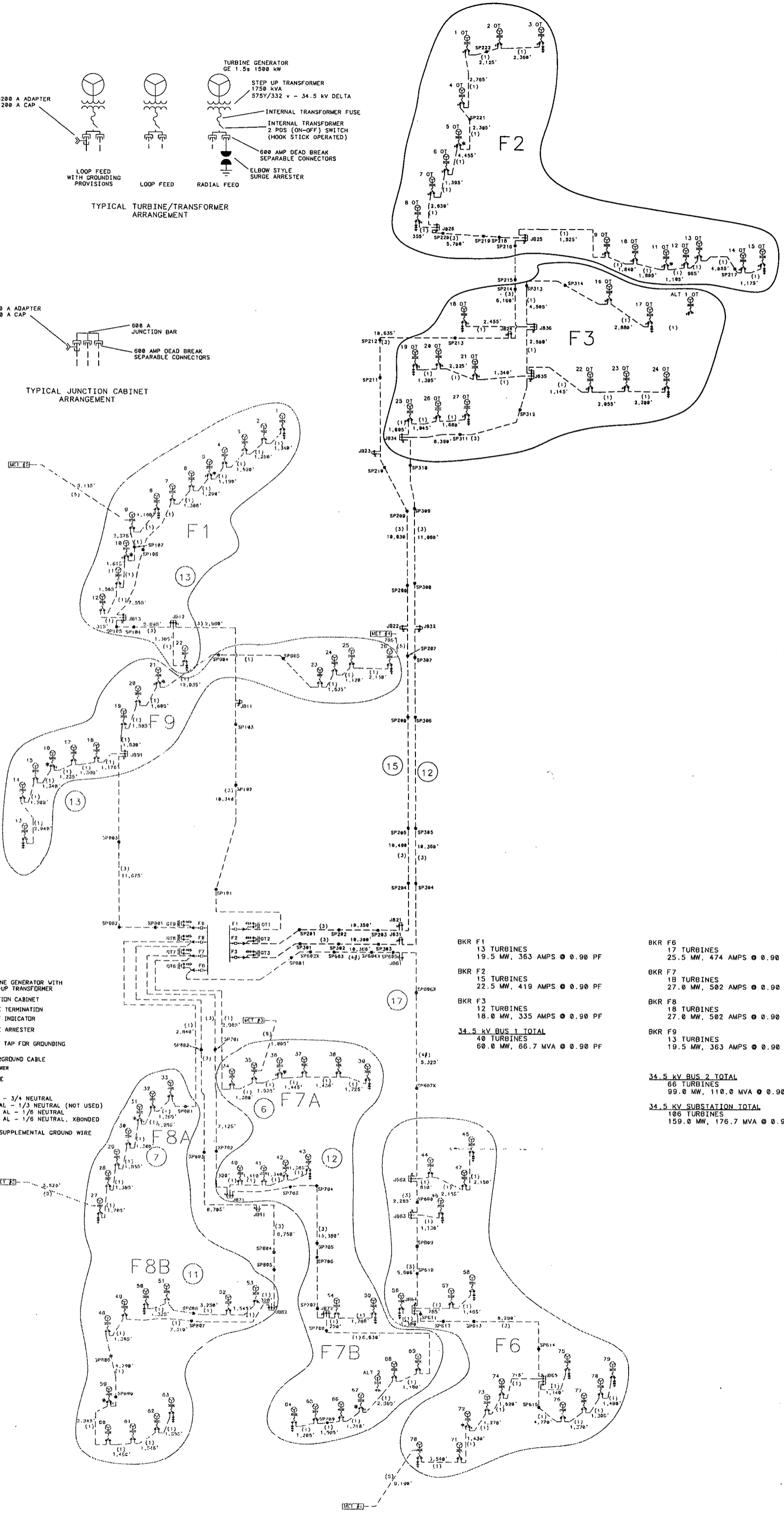
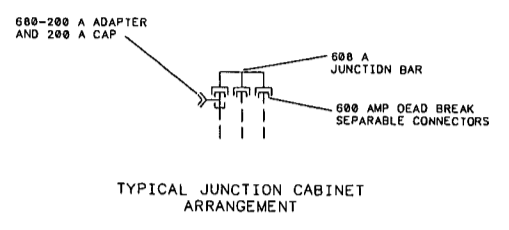
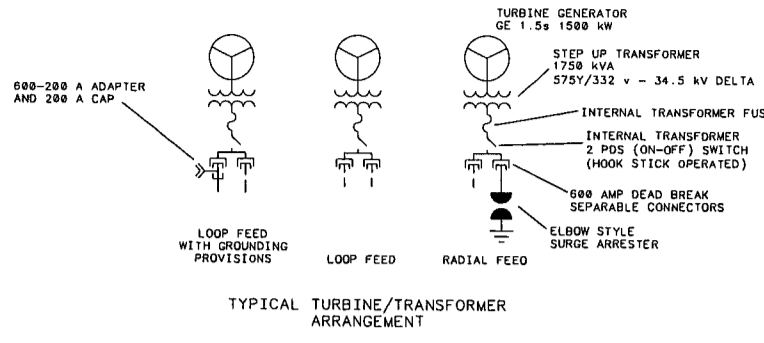
Tc TETRA TECH SC, INC

0 0.5 1 Miles
1:120,000

OSNABROCK



**Figure 1. Project Vicinity
Langdon Wind Energy Center
Langdon Wind, LLC
Cavalier County, North Dakota**



- LEGEND**
- ⊕ TURBINE GENERATOR WITH STEP-UP TRANSFORMER
 - JUNCTION CABINET
 - ▲ CABLE TERMINATION
 - * FAULT INDICATOR
 - ⚡ SURGE ARRESTER
 - ⊕ 200 A TAP FOR GROUNDING
 - UNDERGROUND CABLE
 - ⊕ MET TOWER
 - SPLICE

- CONDUCTOR SIZES**
- (1) 35 kV 4/0 AWG AL - 3/4 NEUTRAL
 - (2) 35 kV 500 kcmil AL - 1/3 NEUTRAL (NOT USED)
 - (3) 35 kV 1000 kcmil AL - 1/6 NEUTRAL
 - (4) 35 kV 1000 kcmil AL - 1/6 NEUTRAL, XBONDED
 - (5) 600V B-2 MC
 - (#) INSTALL 7-#9 CW SUPPLEMENTAL GROUND WIRE

- BKR F1**
13 TURBINES
19.5 MW, 363 AMPS @ 0.90 PF
- BKR F2**
15 TURBINES
22.5 MW, 419 AMPS @ 0.90 PF
- BKR F3**
12 TURBINES
18.0 MW, 335 AMPS @ 0.90 PF
- 34.5 kV BUS 1 TOTAL**
40 TURBINES
60.0 MW, 66.7 MVA @ 0.90 PF
- BKR F6**
17 TURBINES
25.5 MW, 474 AMPS @ 0.90 PF
- BKR F7**
18 TURBINES
27.0 MW, 502 AMPS @ 0.90 PF
- BKR F8**
18 TURBINES
27.0 MW, 502 AMPS @ 0.90 PF
- BKR F9**
13 TURBINES
19.5 MW, 363 AMPS @ 0.90 PF
- 34.5 kV BUS 2 TOTAL**
66 TURBINES
99.0 MW, 110.0 MVA @ 0.90 PF
- 34.5 kV SUBSTATION TOTAL**
106 TURBINES
159.0 MW, 176.7 MVA @ 0.90 PF

THIS DOCUMENT ORIGINALLY ISSUED AND SEALED BY DENNIS L. BLASBERG, PROFESSIONAL ENGINEER, FE-5006, ON 07/30/07. THIS REVISION SHOULD BE CERTIFIED DOCUMENT.

ISSUED FOR CONSTRUCTION

P & E ENGINEERING CO.
POWER SYSTEM ANALYSIS AND DESIGN
245 S. 8th St.
Cedar Rapids, IA 52407
Phone: 319.244.4433
Fax: 319.244.3133
pe@peengineering.com

FPL Energy

| REV. NO. | DESCRIPTION | ENG. | DWN. | CHKD. | DATE |
|----------|----------------------------------|------|------|-------|----------|
| A | ORIGINAL DESIGN | P&E | DTD | APP | 03/22/07 |
| B | REVISED | P&E | DTD | APP | 05/19/07 |
| C | REVISED FEEDERS AND CABLE ROUTES | P&E | DTD | APP | 07/03/07 |
| D | ISSUED FOR CONSTRUCTION | P&E | DTD | APP | 07/30/07 |

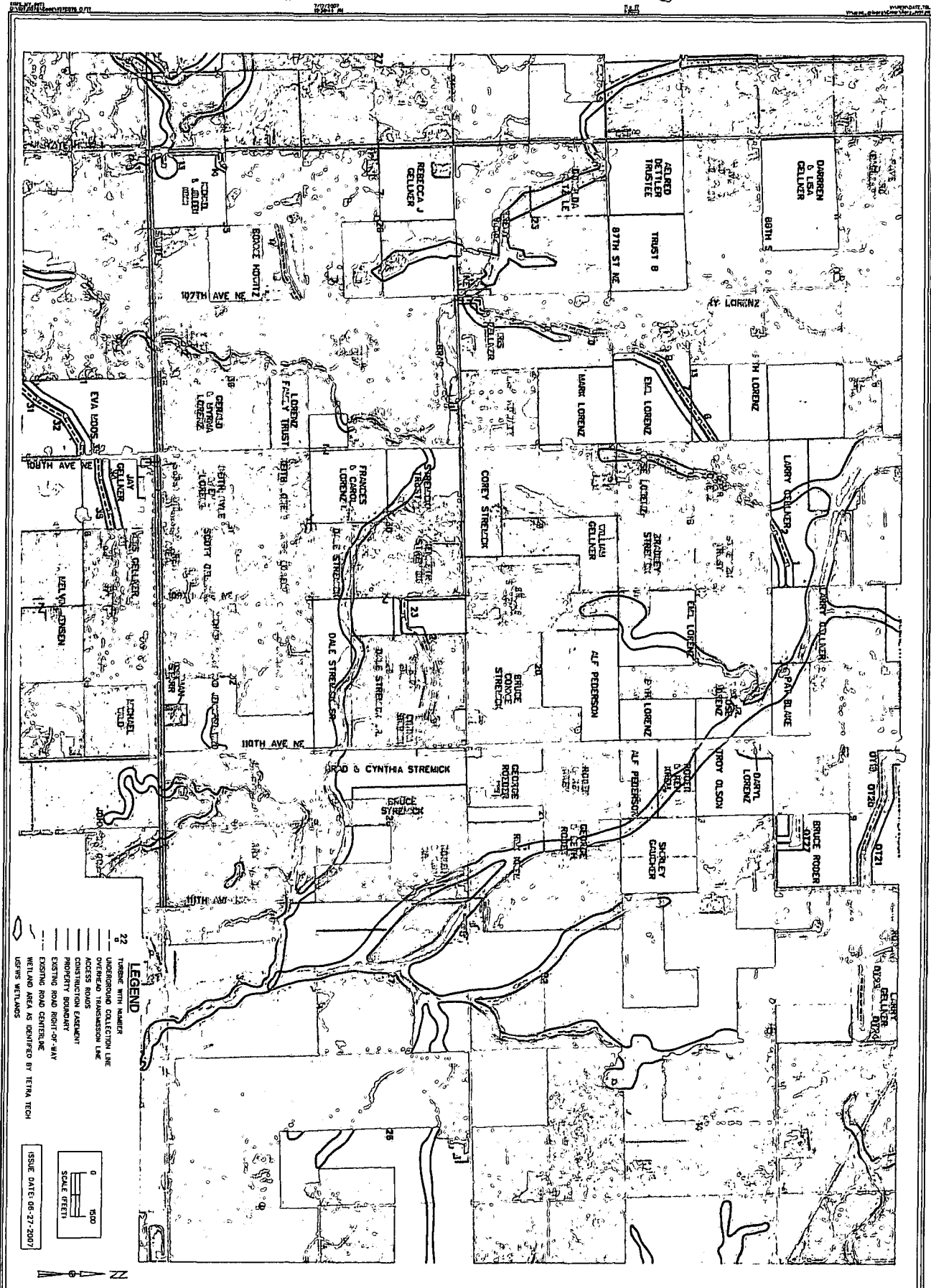
CLIENT/PROJECT: **FPL ENERGY LANGDON WIND ENERGY CENTER**

TITLE: **COLLECTOR SYSTEM ONE-LINE DIAGRAM**

SCALE: **AS SHOWN ON DRAWING**

DRAWING NUMBER: **E8455-500**

REVISION NUMBER: **0**



LEGEND

22 TYPED WITH NUMBERS
 --- UNDERGROUND COLLECTION LINE
 --- OVERHEAD COLLECTION LINE
 --- ACCESS ROADS
 --- CONSTRUCTION EASEMENT
 --- PROPERTY BOUNDARY
 --- EXISTING ROAD RIGHT-OF-WAY
 --- EXISTING ROAD CENTERLINE
 --- WETLAND AREA AS DETERMINED BY TERMA TECH
 USFS WETLANDS

SCALE (FEET)
 0 1500

ISSUE DATE: 06-27-2007

Snyder & Associates

1751 MADISON AVENUE
 COUNCIL BLUFFS, IOWA 51503 | 713-322-3202

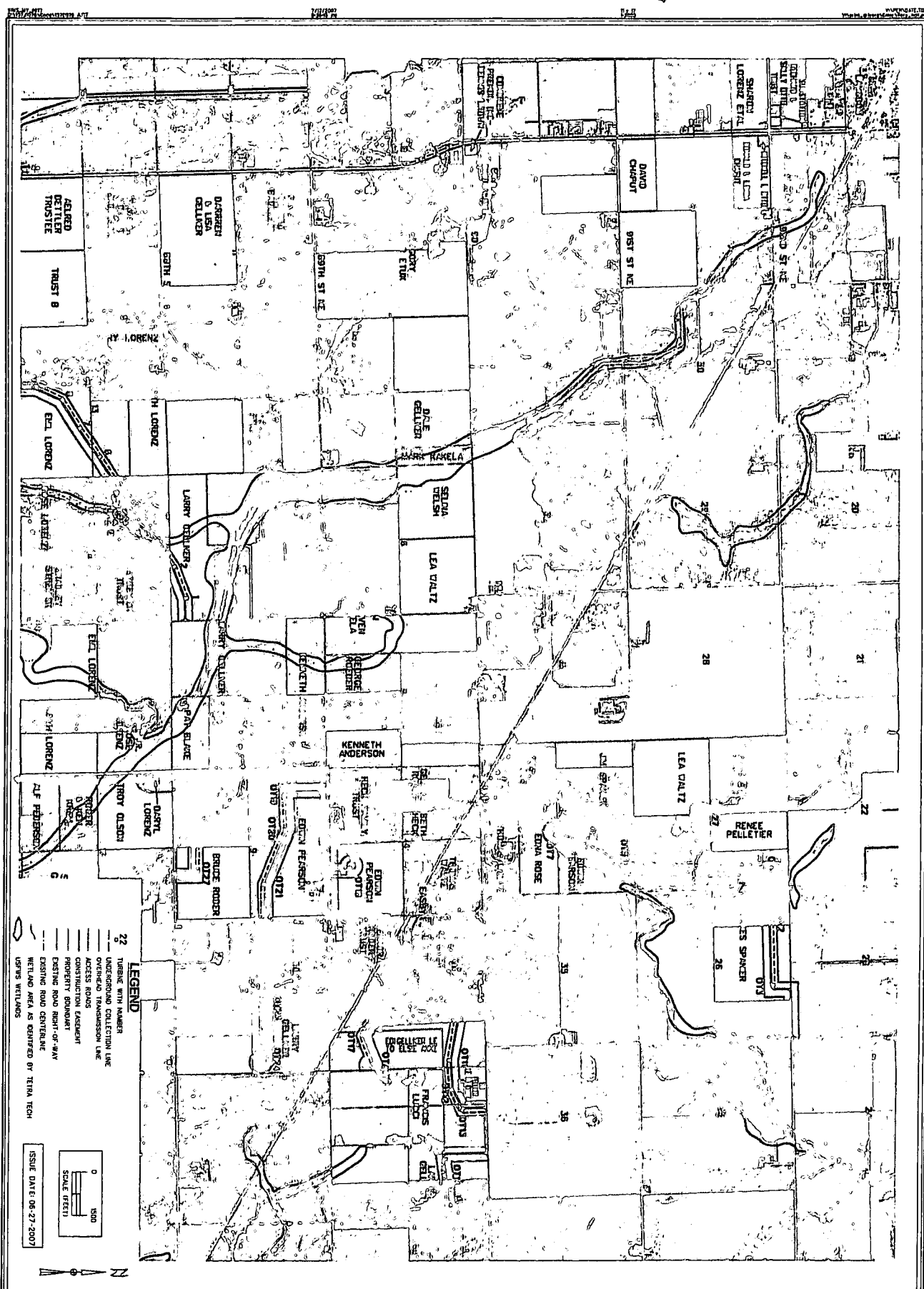
ATLANTA, GA 770-546-0858
 MINNEAPOLIS, MN 612-322-3202
 MARSHVILLE, ND 701-432-0111
 SIOUX FALLS, SD 605-333-2222

Project No: 1070076
 Sheet 2 of 3

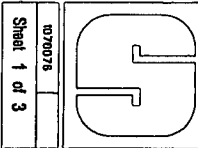
| MARK | REVISION | DATE | BY |
|------|---|---------|----|
| 6 | CONCRETE TYPINGS | 6/27/07 | DW |
| 5 | MOVED T-LINE OUTSIDE ROW IN SEC 26-160-10 | 5/31/07 | DW |
| 4 | LANDOWNER NAME CHANGES ALONG T-LINE | 5/29/07 | DW |
| 3 | TRENCH, ROADS & COLLECTION RELOCATED | 5/24/07 | DW |

Author: JWK
 Checked by: MGG
 Date: 02-07-07
 Plot No: 1070076
 Scale: 1"=1500'

Feeder F2
Feeder F3



Feeder F2 - Towers OT1 - OT15
Feeder F3 - Towers OT16 - OT27

| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|---|----------------|-------------------|---------|----|---|-------------------------------------|---------|----|---|--------------------------------------|---------|----|---|---|----------|----|---|----------|------|----|---|---------------|-----------------|----------------|---|----------------|------------|-----------|---|---------------------|--------------|--|---|----------|--|--|
|  | <p>FPL - LANGDON, ND</p> <p>PRELIMINARY SITE PLAN</p> <p>CAVALIER COUNTY, NORTH DAKOTA</p> <p>SNYDER & ASSOCIATES</p> <p>1751 MADISON AVENUE ATLANTIC IA 51303-4828 MARVELLE, ND 58042-0200 COUNCIL BLUFFS, IOWA 51503 ARKENT, IA 51424-2000 ST. JOSEPH, MO 64506-0200 712-322-3022 815-358-6221</p> | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="font-size: 8px;">1</td> <td style="font-size: 8px;">REDESIGNED LAYOUT</td> <td style="font-size: 8px;">5/27/07</td> <td style="font-size: 8px;">DW</td> </tr> <tr> <td style="font-size: 8px;">2</td> <td style="font-size: 8px;">LANDOWNER NAME CHANGES ALONG T-LINE</td> <td style="font-size: 8px;">5/29/07</td> <td style="font-size: 8px;">DW</td> </tr> <tr> <td style="font-size: 8px;">3</td> <td style="font-size: 8px;">TURBINE ROADS & COLLECTION RELOCATED</td> <td style="font-size: 8px;">5/24/07</td> <td style="font-size: 8px;">DW</td> </tr> <tr> <td style="font-size: 8px;">4</td> <td style="font-size: 8px;">DELETED POINTS (2ND RISE & SEC 34-84-3)</td> <td style="font-size: 8px;">04/18/07</td> <td style="font-size: 8px;">DW</td> </tr> <tr> <td style="font-size: 8px;">5</td> <td style="font-size: 8px;">REVISION</td> <td style="font-size: 8px;">DATE</td> <td style="font-size: 8px;">BY</td> </tr> <tr> <td style="font-size: 8px;">6</td> <td style="font-size: 8px;">DRAWN BY: JWK</td> <td style="font-size: 8px;">CHECKED BY: MGG</td> <td style="font-size: 8px;">SCALE: 1"=100'</td> </tr> <tr> <td style="font-size: 8px;">7</td> <td style="font-size: 8px;">DATE: 02-07-07</td> <td style="font-size: 8px;">FIELD NO.:</td> <td style="font-size: 8px;">PLOT NO.:</td> </tr> <tr> <td style="font-size: 8px;">8</td> <td style="font-size: 8px;">PROJECT NO: 1070076</td> <td colspan="2" style="text-align: center;">Sheet 1 of 3</td> </tr> <tr> <td style="font-size: 8px;">9</td> <td style="font-size: 8px;">FILE NO:</td> <td colspan="2"></td> </tr> </table> | 1 | REDESIGNED LAYOUT | 5/27/07 | DW | 2 | LANDOWNER NAME CHANGES ALONG T-LINE | 5/29/07 | DW | 3 | TURBINE ROADS & COLLECTION RELOCATED | 5/24/07 | DW | 4 | DELETED POINTS (2ND RISE & SEC 34-84-3) | 04/18/07 | DW | 5 | REVISION | DATE | BY | 6 | DRAWN BY: JWK | CHECKED BY: MGG | SCALE: 1"=100' | 7 | DATE: 02-07-07 | FIELD NO.: | PLOT NO.: | 8 | PROJECT NO: 1070076 | Sheet 1 of 3 | | 9 | FILE NO: | | |
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*Proposed Form
Notice of Opportunity for Hearing*

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Otter Tail Corporation, d/b/a
Otter Tail Power Company,
Application for a Certificate of
Public Convenience and Necessity

Case No. PU-_____

NOTICE OF OPPORTUNITY FOR HEARING

_____, 2007

On _____, 2007, Otter Tail submitted an application for a Certificate of Public Convenience and Necessity for the Otter Tail 40.5 MW Project. Otter Tail states that issuance of a CPCN would serve the public interest. Otter Tail is a public utility under Title 49 of the North Dakota Century Code, headquartered at 215 South Cascade Street, Fergus Falls, Minnesota.

The issues to be considered in this matter are:

1. Fitness and ability of the applicant to provide service;
2. Adequacy of the proposed service;
3. Technical, financial and managerial ability of the applicant to provide service.

Those interested are invited to comment on this application in writing. Persons desiring a hearing must file a written request identifying their interest in the proceeding and the reasons for requesting a hearing. Comments and requests for hearing must be received by **[insert date]**. If deemed appropriate, the Commission can determine the matter without a hearing.

For more information contact the Public Service Commission, State Capitol, Bismarck, North Dakota 58505, 701-224-2400, or Relay North Dakota 1-800-366-6888 TTY. If you require any auxiliary aids or services, such as readers, signers, or braille materials please notify Illona Jeffcoat-Sacco, Executive Secretary.

PUBLIC SERVICE COMMISSION

Anthony T. Clark
Commissioner

Susan E. Wefald
President

Kevin Cramer
Commissioner

07-607

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Bernadeen Brutlag
 Otter Tail Power Co
 215 S Cascade St
 Fergus Falls MN 56537

A. Signature *[Signature]* Agent
 Addressee

B. Received by (Printed Name) *Daniel Blaskow* C. Date of Delivery *11/28/07*

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number (Transfer from service label) **7007 2560 0001 6057 8114**

07-607

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mark A. Bring
 Otter Tail Corporation
 215 S Cascade St
 Fergus Falls MN 56537

A. Signature *[Signature]* Agent
 Addressee

B. Received by (Printed Name) *Daniel Blaskow* C. Date of Delivery *11/28/07*

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number (Transfer from service label) **7007 2560 0001 6057 8107**