

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

**Otter Tail Corporation,
230 kV Transmission Line Reroute
Richland County
Siting Application**

Case No. PU-07-766

AFFIDAVIT OF TODD LANGSTON

1. I am employed by Otter Tail Power Company as Transmission Maintenance Specialist, 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. The proposed project is accurately depicted in the attachments to the Letter of Intent and the Motion for Waiver of Procedures & Time Schedules filed with the Commission in this case.
5. Attached hereto as Exhibit A are photographs taken June 28, 2007, which accurately depict the fragile condition of the existing facility on that date.
6. Based on my professional experience, I believe the effect of high water conditions, seasonal ice floes and high winds during spring months, in conjunction with the fragile condition of the existing facility, constitute an emergency that requires immediate construction of the proposed reroute, and that adherence to the procedures and time schedules typically required by North Dakota law would jeopardize Otter Tail's 230 kV high-voltage network.
7. The anticipated construction and operation schedule for the proposed reroute is March-May 2008, dates that minimize the probability of a line outage due to spring ice floes.
8. Attached as Exhibit B hereto are copies of easements Otter Tail has acquired from each of the three landowners from whom easement rights will be necessary to construct the proposed reroute.
9. Attached hereto as Exhibit C is a copy of a December 3, 2007 letter sent by Otter Tail to each of the state agencies and officers entitled to notice under NDAC article 69-06, as well as to the U.S. Fish & Wildlife Service, the U.S. Army Corps of Engineers, and the U.S. Department of Agriculture – Natural Resources Conservation Service.

10. Attached hereto as Exhibit D are responses received by Otter Tail to the letter referenced in paragraph 8.

11. Based on my professional experience, the uniform agency response that appears to disavow any concern that the proposed reroute will have an adverse effect or significant impact on the environment, or upon the welfare of the citizens of North Dakota, is accurate and well-founded.

Todd Jensen
Name

Subscribed and sworn to before me this 29th day of January, 2008.

(NOTARIAL SEAL)



Diane Merz
Notary Public