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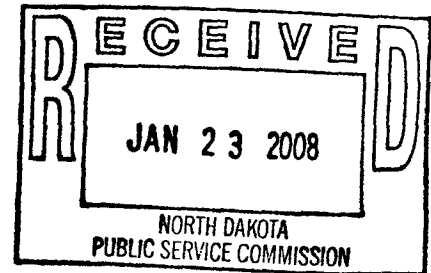
January 22, 2008

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

Ilona Jeffcoat-Sacco
Executive Secretary
North Dakota Public Service Commission
600 E. Boulevard Avenue
Bismarck, ND 58505-0480

VIA OVERNIGHT MAIL

**Re: Otter Tail Corporation
230 kV Transmission Line Reroute
Richland County
Siting Application
Case No. PU-07-766**



Dear Ms. Jeffcoat-Sacco:

Enclosed for filing, please find an original and ten copies of Otter Tail's Motion for Waiver of Procedures and Time Schedules in the above-referenced matter. Also enclosed is an Affidavit of Todd Langston.

If you have any questions, please feel free to contact me at any time.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark B. Bring".

Mark B. Bring
Associate General Counsel
MBB/dm

Enclosures

STATE OF NORTH DAKOTA
BEFORE THE PUBLIC SERVICE COMMISSION

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

Case No. PU-07-766

MOTION FOR WAIVER OF PROCEDURES AND TIME SCHEDULES

BACKGROUND

Pursuant to NDCC § 49-22-07.1 and NDAC chapter 69-06-03, on November 27, 2007, Otter Tail Corporation submitted a letter of intent to reroute a portion of Otter Tail Power Company's Hankinson-Ellendale 230 kilovolt transmission line in Richland County. The Commission was requested to waive the requirement in NDAC § 69-06-03-01 that the letter of intent precede, by one year, the filing of an application for a certificate of corridor compatibility.

On December 3, 2007, Otter Tail wrote the state agencies and officers entitled by NDAC § 69-06-01-05 to notice of jurisdictional transmission facility routing plans, as well as the U.S. Fish & Wildlife Service, the U.S. Army Corps of Engineers, and the U.S. Department of Agriculture – Natural Resources Conservation Service, requesting by December 17, 2007 comments or suggestions regarding the proposed reroute.

Otter Tail received numerous replies, none of which has suggested an adverse effect or significant impact on the environment, or upon the welfare of the citizens of North Dakota, from Otter Tail's proposed reroute. To the contrary, each of the agency responses disavowed any such concerns.

Furthermore, each of the three landowners from whom easement rights will be necessary to construct the proposed reroute has been contacted, and as of December 12, 2007 each has agreed to provide easements to Otter Tail for the reroute.

On December 14, 2007, the Commission unanimously agreed to waive the requirement in NDAC § 69-06-03-01 that the letter of intent precede, by one year, the filing of an application for a certificate of corridor compatibility.

MOTION

Pursuant to NDCC § 49-22-07.2, NDAC chapter 69-06-06, and the Commission's Energy Conversion and Transmission Facility Siting Application Guidelines for Waiver of Procedures and Time Schedules (November 1979) (hereinafter, "Application Guidelines"), Otter Tail now brings this motion for a Waiver of Procedures and Time Schedules on the bases that the proposed reroute justifies findings that the "length, design, location, or purpose ... will produce minimal adverse effects" and "that a demonstrable emergency exists which requires immediate construction and that adherence to the procedures and time schedules would jeopardize the utility's system" under NDCC § 49-22-07.2.

Otter Tail further moves the Commission, pursuant to NDCC §§ 49-22-07.2 and 49-22-13, that the Commission waive the requirement of the filing of an application for a certificate of corridor compatibility and route permit, and the requirement of a public hearing, and forthwith issue a certificate and route permit with such conditions as the Commission may require.

A. DESCRIPTION

The Hankinson-Ellendale 230 kV transmission line is approximately 83.8 miles in length. The transmission facility is an integral component of the 230 kV transmission system, integrating baseload electric generation at the Big Stone Plant in eastern South Dakota and the Hoot Lake Plant in western Minnesota, and wind generation in southeastern North Dakota; and serving retail load in southeastern North Dakota, northeastern South Dakota, and western Minnesota. Otter Tail is proposing to reroute only a 0.64 mile portion near Grass Lake in Richland County, west and north of Lidgerwood in Sections 31 and 32 in Township 131 North (Dexter), Range 52 West and Section 6 in Township 130 North (Grant), Range 52 West. A map showing the location of the proposed facility was attached to the Letter of Intent filed in this docket. The portion 0.64 mile portion of the Hankinson-Ellendale 230 kV transmission line to be rerouted consists of H-framed wood structures, which would likely be replaced by H-framed wood or steel structures.

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.

There are presently no immediate plans for future expansion of the proposed 0.64 miles of facility. However, there are likely other portions of the 83.8 mile Hankinson-Ellendale 230 kV transmission line affected by high water conditions which may in the future require reroute.

B. NEED FOR FACILITY

The Application Guidelines call for an analysis of the need for the proposed facility based on present and projected demand for the product or products to be produced by the proposed facility, including the most recent system studies supporting the analysis of the need; a description of any feasible alternative methods of serving the need; a statement justifying any deviations from the most recent Ten-Year Plan which the proposed facility may present.

The need for the proposed facility is strictly as a mechanism to preserve Otter Tail's existing ability to integrate generation to serve load. There are no other feasible alternative methods of serving the need. The deviation from the ten-year planning horizon is necessary on account of the emergency condition of the existing facility.

C. COST

The estimated total cost of construction is \$260,000.

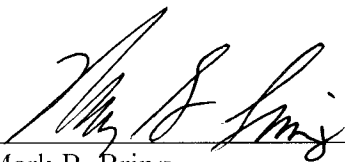
D. WAIVER REQUEST

Because Otter Tail has demonstrated that the proposed reroute is of such a length, design, location, and purpose that it will produce minimal adverse effects, and because Otter Tail has further demonstrated that compliance with the procedures and time schedules of the Act and rules promulgated pursuant to it would jeopardize Otter Tail's system, Otter Tail moves that the Commission waive the requirement of the filing of an application for a certificate of corridor compatibility and route permit, and the requirement of a public hearing, and forthwith issue a certificate and route permit with such conditions as the Commission may require.

Date: 1/22/2008

Respectfully submitted:

OTTER TAIL CORPORATION
D/B/A OTTER TAIL POWER COMPANY



Mark B. Bring
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