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PUBLIC SERVICE COMMISSION

FAX COVER:

TO:

Allen C. Hoberg, Director
Office of Administrative Hearings
1707 North 9th Street
Bismarck, ND 58501-1882
Fax: (701) 328-3254

7 **PU-08-107** Filed: 5/30/2008 Pages: 2
Revised Request for Administrative Law Judge

Public Service Commission

12 **PU-08-34** Filed: 5/30/2008 Pages: 2
Revised Request for Administrative Law Judge

Public Service Commission



REQUEST FOR ADMINISTRATIVE LAW JUDGE--APPEAL, APPLICATION, OR PETITION
 NORTH DAKOTA OFFICE OF ADMINISTRATIVE HEARINGS
 SFN 17819 (Rev. 03-2001)

Name of Agency, Board, or Commission
 North Dakota Public Service Commission

The above named agency, board, or commission requests designation of an administrative law judge from the Office of Administrative Hearings for the M-Power, LLC Luverne Wind Farm Siting Application, Case No. PU-0834 and PU-08-107

(e.g., application of [name], appeal of [name], petition of [name]). Authority for the administrative action is found in NDCC Chapter 49-22 _____ (North Dakota Century Code and/or North Dakota Administrative Code).

Please attach related documents and correspondence.

The administrative action is more fully described as follows:

It requests designation of an administrative law judge (please check one):

- To conduct the hearing and issue recommended findings of fact, conclusions of law, and order.
- To serve as a procedural administrative law judge only (no recommended decision). The agency head will be present at the hearing as required by NDCC 54-57-04(6).
- To conduct the hearing, issue findings of fact, conclusions of law, and a final order.

PLEASE MAKE A REQUEST FOR AN ADMINISTRATIVE LAW JUDGE AT LEAST ONE MONTH BEFORE THE HEARING.

Please list parties, including the agency if it is a Party, and Representation [attorney (or other)] if known, or Agency Contact: (Attach separate list if necessary.)

| | | |
|-----------------------------------|-------------------------|----------------------------------|
| AGENCY | Address | Telephone Number |
| Representation | Address | Telephone Number |
| PARTY M-Power, LLC | Address Finley, ND | Telephone Number |
| Representation Lawrence Bender | Address Bismarck, ND | Telephone Number 701-221-4020 |
| PARTY | Address | Telephone Number |
| Representation | Address | Telephone Number |

Additional Comments
 This is a revised request. The original request dated May 28, 2008 only included case number PU-08-34

(For agencies required to use OAH, notice of hearing will be issued by the administrative law judge, unless a procedural administrative law judge is requested. Other requesting agencies and agencies requesting a procedural administrative law judge should first contact OAH about scheduling a hearing. If notice has already been issued, attach a copy of the notice.)

| | |
|---|----------------------------------|
| Typed or Printed Name and Title of Requesting Person John G. Hamre, Administrative Assistant for William W. Binek, Hearing Administrator | Date May 30, 2008 |
| Signature of Requesting Person X | Telephone Number 701-328-4279 |