



Public Service Commission

State of North Dakota

COMMISSIONERS

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10 September 2008

Mr. Allen C. Hoberg
Office of Administrative Hearings
1707 North 9th Street, Lower Level
Bismarck, ND 58501

Re: Montana-Dakota Utilities Co.
Chad Olson - Deco Subdivision - Kidder County, ND
Public Convenience & Necessity
Case No. PU-08-693

Dear Mr. Hoberg:

Enclosed is a request for an Administrative Law Judge in the above captioned case. The Hearing is scheduled Tuesday, September 16, 2008, at 9:00 a.m. CDT, in the Commission Hearing Room, 12th Floor, State Capitol, Bismarck, North Dakota.

Please take notice that this is a consolidated hearing that has been consolidated with the hearing included in applications filed in Case Nos. PU-08-345, PU-08-346, PU-08-347. These three cases have already been assigned an ALJ.

Furthermore, the Notice of Hearing has been issued, a copy of which is attached. The Administrative Law Judge will serve as a procedural law judge and the hearing will be tape recorded. Any party may request to have a court reporter present. The party requesting the court reporter is responsible for making the arrangements for the court reporter and paying the costs of the court reporter.

If you have any questions, please contact me. Thank you.

Sincerely,

Illona A. Jeffcoat-Sacco
General Counsel

Enclosures

c: Donald R. Ball, Montana-Dakota Utilities Co.

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PU-08-693
Request for ALJ

Filed: 9/10/2008

Pages: 4



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 Montana-Dakota Utilities Co., Chad Olson - Deco Subdivision - Kidder County, ND,
Public Convenience & Necessity, Case No. PU-08-693

(e.g., application of [name], appeal of [name], petition of [name]). Authority for the administrative action is found in _____ (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:
 this is a consolidated public hearing which include the applications filed in Case Nos. PU-08-345, PU-08-346, PU-08-347.

These cases have already been assigned an ALJ.

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 Montana-Dakota Utilities Co.	Address 400 N. 4th St., Bismarck, ND 58501	Telephone Number
Representation Donald R. Ball	Address 400 N. 4th St., Bismarck, ND 58501	Telephone Number
PARTY	Address	Telephone Number
Representation	Address	Telephone Number

Additional Comments
 The Hearing is scheduled Tuesday, Sept. 16, 2008, at 9:00 a.m. in the Commission Hearing Room, 12th Floor, State Capitol, Bismarck, ND.

(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 Ilona A. Jeffcoat-Sacco - General Counsel	Date 10 September 2008
Signature of Requesting Person <i>x Ilona A. Jeffcoat-Sacco</i>	Telephone Number 701-328-2400

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**Montana-Dakota Utilities Co.
Chad Olson – DOCO Subdivision – Kidder
County, North Dakota
Public Convenience & Necessity**

Case No. PU-08-693

NOTICE OF HEARING

September 10, 2008

On August 25, 2008, Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., (MDU) filed an application to extend electric service to Lots 3-5 and 7-11 in the DOCO Subdivision located in the SW 1/4 of NW1/4, Section 17, Township 139N, Range 17W, Kidder County, North Dakota. Submitted with the application was a request from MDU that the Commission consider this application at the time of the consolidated hearing already noticed for September 16, 2008 where the Commission is scheduled to hear similar applications filed by MDU to extend electric service to Lots 2, 6 and 1 within the DOCO Subdivision in Case Nos. PU-08-345; PU-08-346; and PU-08-347, respectively. On September 3, 2008, MDU notified the Commission that it has no objection to hearing this matter in conjunction with the September 16, 2008 hearing.

On August 27, 2008, KEM Electric Cooperative, Inc. of Linton, North Dakota filed its objection to MDU's application and requested the matter be set for hearing. On September 4, 2008, KEM Electric notified the Commission that it has no objection to hearing this matter in conjunction with the September 16, 2008 hearing.


Please take notice that a consolidated public hearing on the applications filed in Case Nos. PU-08-345, PU-08-346, PU-08-347 and PU-08-693 will be held **Tuesday, September 16, 2008, at 9:00 a.m. CDT, in the Commission Hearing Room, 12th Floor, State Capitol, Bismarck, North Dakota.** The issues to be considered are:

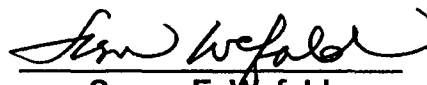
1. From whom do the customers prefer electric service?
2. What electric suppliers are operating in the general area?
3. What electric supply lines exist within at least a two-mile radius of the location to be served, and when were they constructed?
4. What customers are served by electric suppliers within at least a two-mile radius of the location to be served?
5. What are the differences, if any, between the electric suppliers available to serve the area with respect to reliability of service?

6. 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?
7. Which supplier's extended electric service would best serve orderly and economic development of electric service in the general area?
8. Would approval of the applications result in wasteful duplication of investment or service?
9. Is it probable that the location in question will be included within the corporate limits of a municipality within the foreseeable future?
10. Will service by either of the electric supplier in the area unreasonably interfere with the service or system of the other?

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 Darrell Nitschke, Executive Director, at least 24 hours in advance.

PUBLIC SERVICE COMMISSION


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Commissioner


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President


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