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Reply to St. Paul Office

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DEC 30 2008

December 30, 2008

PUBLIC SERVICE COMMISSION

## VIA E-FILE AND U.S. MAIL

Darrell Nitschke  
Executive Secretary  
North Dakota Public Service Commission  
600 East Boulevard, Department 408  
Bismarck, ND 58505-0480

**RE: In the matter of Otter Tail Power Company's Annual Filing for Renewable Resource Cost Recovery Factor**  
**Case No.: PU-08-742**  
**Our File No.: 24677.001**

Dear Secretary Nitschke:

Goodrich Corporation, Cargill Corporation, Cavendish Farms, Inc., Archer Daniels Midland Company, ComDel Innovation and Tharaldson Ethanol LLC (the "North Dakota Large Industrial Energy Group" or "Large Industrial Group") respectfully submits the original and seven (7) copies of its Petition to Intervene in the above-referenced matter.

Further, please add the following to the official service list for this matter:

Richard J. Savelkoul  
Felhaber, Larson, Fenlon & Vogt, P.A.  
444 Cedar Street, Suite 2100  
St. Paul, MN 55101  
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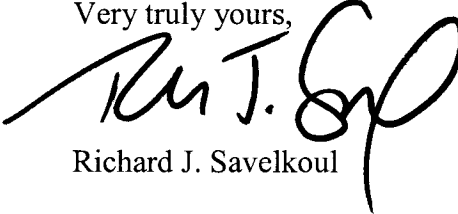
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26 **PU-08-742** Filed: 12/30/2008 Pages: 5  
**Petition to Intervene**

Darrell Nitschke  
Executive Secretary  
North Dakota Public Service Commission  
December 30, 2008  
Page 2

Also enclosed is an Affidavit of Service. Should you have any other questions please do not hesitate to contact me.

Very truly yours,  
  
Richard J. Savelkoul

RJS:vac

Enclosures

cc: Larry Schedin  
Kavita Maini

**STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION**

Case Title: In the Matter of Otter Tail Power Company's Annual Filing for Renewable Resource Cost Recovery Factor	Case No.: PU-08-742  <b>PETITION TO INTERVENE</b>
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1. Goodrich Corporation, Cargill Corporation, Cavendish Farms, Inc., Archer Daniels Midland Company, ComDel Innovation and Tharaldson Ethanol LLC, the "North Dakota Large Industrial Energy Group" or "Large Industrial Group" are ratepayers of Otter Tail Corporation ("OTP") that may be adversely affected by the proposed increase in rates submitted to the North Dakota Public Service Commission (the "Commission") and has a substantial interest in this proceeding.

2. Prior to the filing of this Petition to Intervene, the Large Industrial Group's attorney, Richard J. Savelkoul, has filed a Motion for Admission Pro Hac Vice in this case.

3. The intervenor will present evidence through direct testimony, rebuttal testimony and surrebuttal testimony as well as cross-examination, including but not limited to the following issues:

- (a) appropriate rate of return and the cost of equity matters that OTP should be entitled to;
- (b) appropriate expenses that should be recovered by ratepayers; and
- (c) appropriate adjustments to cost of service studies and rate design issues.

Dated: December 30, 2008

Respectfully submitted,

FELHABER, LARSON, FENLON & VOGT, P.A.

By: 

Richard J. Savelkoul

Minnesota Attorney Reg. No. 0296818

444 Cedar Street, Suite 2100

St. Paul, MN 5 5101

(651) 222-6321

ATTORNEYS FOR LARGE INDUSTRIAL  
GROUP

**CERTIFICATE OF SERVICE**

In the Matter of the Application of Otter Tail Power Company's Annual Filing for Renewable Resource Cost Recovery Factor	Case No.: PU-08-742
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Valerie A. Current certifies that on the 30<sup>th</sup> day of December, 2008, she served a true and correct copy of the attached **PETITION TO INTERVENE** by e-filing and placing it in the United States mail with postage prepaid, addressed to the following individuals:

North Dakota Public Service Commission  
Attn: Illona Jeffcoat-Sacco  
600 East Boulevard Avenue  
Bismarck, ND 58505

State Board of Law Examiners  
Judicial Wing, First Floor  
600 East Boulevard Avenue, Dept. 180  
Bismarck, ND 58505-0530

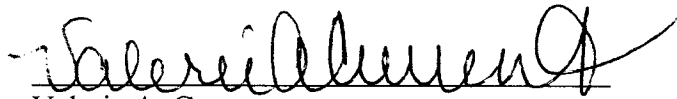
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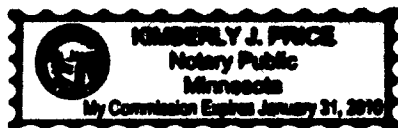
Legal Group  
Email: [psclegal@nd.gov](mailto:psclegal@nd.gov)

Utilities Group  
Email: [pscud@nd.gov](mailto:pscud@nd.gov)

  
Valerie A. Current

STATE OF MINNESOTA    )  
                                          ) ss.  
COUNTY OF RAMSEY    )

Subscribed and sworn to before me this 30<sup>th</sup> day of December, 2008.



  
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Notary Public