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January 8, 2009

**PUBLIC SERVICE COMMISSION**

Darrell Nitschke  
Director of Administration/Executive Secretary  
North Dakota Public Service Commission  
State Capitol  
600 East Boulevard  
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

Dear Mr. Nitschke:

Enclosed please find the original and seven copies of the Motion for the Admission Pro Hac Vice of Richard J. Johnson and the Affidavit of Richard J. Johnson in the above-entitled Docket.

Copies of the documents have also been sent to the State Board of Law Examiners and to all counsel in this Docket.

Please contact me if further information is required.

Very truly yours,



Richard J. Johnson  
Attorney At Law  
(612) 877-5275  
JohnsonR@moss-barnett.com

RJJ/jjh  
Enclosures  
cc: Parties of record  
1300002v1

**31** **PU-08-742** Filed: 1/8/2009 Pages: 3  
**Motion for Admission Pro Hac Vice of Richard J. Johnson and Affidavit of Richard J. Johnson**

Otter Tail Corporation

Moss&Barnett, Richard Johnson, Attorney

**STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION**

In the Matter of Otter Tail Power Company's        )  
Annual Filing for Renewable Resource            )  
Cost Recovery Factor                                 )

Case No. PU-08-742

**MOTION FOR THE ADMISSION PRO HAC VICE OF  
RICHARD J. JOHNSON**

Pursuant to North Dakota Supreme Court Rule 3 and NDAC § 69-02-01-06, Otter Tail Corporation d/b/a Otter Tail Power Company ("OTP") operating in North Dakota seeks leave of the North Dakota Public Service Commission ("Commission") to permit Richard J. Johnson to appear before the Commission to represent OTP in the above-entitled Docket. Mr. Johnson will co-counsel with Bruce Gerhardson, in-house counsel to OTP who is licensed to practice in North Dakota.


As stated in the attached Affidavit of Richard J. Johnson, he is admitted to practice and in good standing with the bar of the State of Minnesota. He is not subject to any disciplinary action in any jurisdiction, he is not under any restrictions or probation in the practice of law in any jurisdiction where he is licensed, and he is not suspended or disbarred from any court in any jurisdiction. He has received approval from the Commission to appear Pro Hac Vice in one previous Docket.

Mr. Johnson has extensive experience representing public utility clients in rate cases. His previous experience in these matters will assist the Commission with the issues of this Docket.

Mr. Johnson is a reputable attorney and the undersigned attorney recommends his admission to practice before the Commission in the above-entitled Docket.

Dated: January 7, 2009

Respectfully submitted,

  
\_\_\_\_\_  
Bruce Gerhardson (#5577)  
Associate General Counsel  
Otter Tail Corporation  
215 South Cascade Street  
Fergus Falls, MN 56537

**STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION**

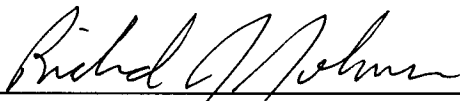
In the Matter of Otter Tail Power Company's            )  
Annual Filing for Renewable Resource                )  
Cost Recovery Factor                                        )

Case No. PU-08-742


**AFFIDAVIT OF RICHARD J. JOHNSON**

In support of the Motion for Pro Hac Vice, Richard J. Johnson, being first duly sworn on oath, deposes and states that:

1. My name is Richard J. Johnson. I am a shareholder of Moss & Barnett, located at 4800 Wells Fargo Center, 90 South Seventh Street, Minneapolis, Minnesota 55402.
2. I am a member in good standing of the bar of the State of Minnesota since 1975.
3. I am not presently subject to any disciplinary action by the bar or courts of the State of Minnesota or of any other court; nor under any restrictions or probation in the practice of law in any jurisdiction where I am licensed. I have not been suspended or disbarred from a court in any jurisdiction.
4. I have previously received approval to appear Pro Hac Vice in one other North Dakota Public Service Commission Docket. I have previously registered under Rule 3 of the North Dakota Admission to Practice Rules.
5. The information contained in the Motion for the Admission Pro Hac Vice of Richard J. Johnson, filed contemporaneously with this Affidavit, is true and correct to the best of my knowledge.

  
\_\_\_\_\_  
Richard J. Johnson

SWORN TO BEFORE ME this  
8<sup>th</sup> day of January 2009

  
\_\_\_\_\_  
NOTARY PUBLIC

