



Fargo office: 4334 18th Avenue S.W.
Suite 200, P.O. Box 9156
Fargo, ND
58106-9156
Fax: 701-232-4108

Fergus Falls office: 215 S. Cascade Street
P.O. Box 496
Fergus Falls, MN
56538-0496
Fax: 218-998-3165

1-866-410-8780 • www.ottertail.com

November 17, 2008

RECEIVED

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

NOV 17 2008

PUBLIC SERVICE COMMISSION

Mr. Darrell Nitschke
Executive Secretary
Director of Administration
North Dakota Public Service Commission
600 East Boulevard, Dept. 408
Bismarck, ND 58505-0408

*Via E-Filing to ndpsc@nd.gov
and UPS Overnight Mail*

**Re: Otter Tail Corporation 49.5 MW Wind Farm – Luverne – Barnes/Steele County
Public Convenience and Necessity
Case No. PU-08-766**

Dear Executive Secretary Nitschke:

Enclosed in the above-referenced matter are an original and seven (7) copies of an Affidavit of Randy Synsteliem dated November 17, 2008.

Thank you for your attention to this matter.

Sincerely,

Mark B. Bring
Associate General Counsel
MBB/nlo

Enclosures

8 **PU-08-766** Filed: 11/17/2008 Pages: 8
Affidavit of Randy Synsteliem

Otter Tail Corporation

Mark Bring

STATE OF NORTH DAKOTA

PUBLIC SERVICE COMMISSION


Case No. PU-08-766

**Otter Tail Corporation,
49.5 MW Wind Farm – Luverne – Barnes/Steele Cnty
Public Convenience and Necessity**

AFFIDAVIT OF RANDY SYNSTELIEN

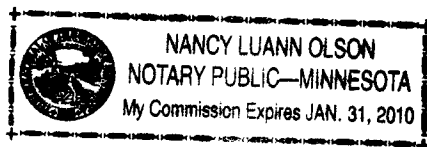
1. I am employed by Otter Tail Power Company as Manager of Renewable Energy Development, and I make this affidavit on the basis of my own personal knowledge and belief as to the matters contained herein.
2. Otter Tail has provided retail electric service in North Dakota since 1909.
3. Otter Tail is a Minnesota corporation duly authorized to do business in the State of North Dakota as a foreign corporation, and is doing business in the State of North Dakota as a public utility subject to the jurisdiction of and regulation by the Commission under NDCC Title 49, as amended.
4. This project is accurately depicted in the attachments to the Application for a Certificate of Public Convenience and Necessity filed with the Commission on September 12, 2008.
5. Otter Tail in July 2008 executed a Purchase and Sale Agreement with M-Power, LLC to purchase the development assets for this project, and closing is conditioned upon receiving this Certificate of Public Convenience and Necessity.
6. Otter Tail is an experienced electric generation, transmission, and distribution utility with the expertise and resources to own the 49.5 megawatt project and the facilities associated with it.
7. Otter Tail's most recent integrated resource plan has identified a need for 160 megawatts of near-term economic wind energy generation resources, of which this 49.5 megawatt project will satisfy approximately 31 percent.
8. Otter Tail estimates its cost for this project will be approximately \$2208/kW, which includes site acquisition, turbine supply, balance of plant, and other project expenses.
9. Various attributes of renewable electric generation ownership, including the availability of wind tax incentives and a reasonable rate of return on invested capital, indicate that at least some of the identified need for renewable electric generation be satisfied through ownership by Otter Tail, as opposed to power purchase agreements.

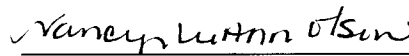
10. Given these various attributes of ownership and the corresponding energy value provided to our consumers, public convenience and necessity require Otter Tail's construction and operation of this particular project.
11. The facilities that are the subject of this docket will be included in Otter Tail's next rate case or in a rate rider filing.
12. Otter Tail's construction or extension of its line, plant, or system will not unreasonably interfere with the service or system of any other electric public utility or electric cooperative corporation.
13. Otter Tail is not extending retail service to any new electric service customers in connection with this project.
14. Otter Tail's understanding is that the conditional use permits granted to M-Power, LLC by Barnes County and the Townships of Willow Lake, Carpenter, Melrose, and Riverside in Steele County (attached hereto as Exhibits A, B, C, D, and E, respectively) run with the land and are assumable by Otter Tail. To the extent required, Otter Tail will seek consent of a political subdivision to assume any such permit.
15. The facilities that are the subject of this docket will be constructed to comply with the standards of the National Electrical Safety Code.


Randy Synstelien

Subscribed and sworn to before me this 17th day of November, 2008.

(NOTARIAL SEAL)




Notary Public

BARNES COUNTY ZONING CONDITIONAL USE PERMIT

Conditional Use Permit

Purpose: The development of this code is based upon division of the county into districts, within which district the use of land and building bulk and locations of building and structures are mutually compatible and substantially harmonious. However, there are certain uses which, because of their unique characteristics, cannot be properly classified as permitted uses upon neighboring premises. Such uses, nevertheless, maybe necessary or desirable to be allowed in a particular district provided that due consideration is given to location, development and operation of such uses. To obtain a conditional use permit, the request must be advertised twice two full weeks before the meeting. At the hearing, the public is allowed input. After the hearing, the zoning board makes a motion to approve or deny the proposed conditional use permit. Cost--\$100, plus advertising cost.

LAST NAME	FIRST NAME	MAILING ADDRESS	HOME PHONE NO.
M- Power (company)	Grady Wolf, LLC (contact)	128 Soo Line Drive, Bis. ND 58501	(701) 355-8726
LAND USE			CITY OR TOWNSHIP
Transmission Line			Ellsburg
DATE INTRODUCED	DATE APPROVE	FEE - DATE PAID	LEGAL DESC & 911 ADD
7/14/08	7/14/08	\$150.00 6/24/08	Sections 6, 7 T143N, R56W
HEARING DATE	CONDITIONS		
July 10 th 2008	max. tower height 115 feet	# 2908	

COPY TO APPLICANT

E-MAIL TO RECORDER OFF.

SIGNATURE APPLICANT:
 Grady Wolf
DATE 6-23-08

*M-Power, LLC
 602 Lincoln Ave S.
 Finley ND.
 58230*

SIGNATURE OFFICIAL:
 James R. Stevens
DATE 7-10-08

06-27-2006 EXC DOC

No Warranty of Suitability

Barnes County, by approving a subdivision, auditor's lot, change of use, variance or by issuing a building permit, does NOT warrant that the property in question is suitable for any particular purpose, including but not limited to improvements to real property.

Willow Lake TOWNSHIP

PERMIT
for Zoning Changes, Conditional Uses
and Site Approvals

Permit No. _____

7-14-08
Date

This permit is issued to M-Power LLC

for Construction of Wind tower 3 FT transmission line

The applicant has met all requirements of the Willow Lake Township Zoning
Regulations: Yes, No.

Applicant is required to meet the conditions described below: return all
Roads to current or better conditions
also be responsible for snow removal on access roads
to towers

7-14-08
Date

Tom Bahr
Chairperson of Township Supervisor

John J. Shry
Ray C. Olson

TZH/LARDC©

CARPENTER TOWNSHIP

PERMIT
for Zoning Changes, Conditional Uses
and Site Approvals

Permit No. 1

8/6/08

(Date)

This permit is issued to M-Power

for Construction of transmission line

This applicant has met all requirements of the Carpenter Township
Zoning Regulations: ✓ Yes; No.

Applicant is required to meet the conditions described below:

Return all roads to current or better condition

8/6/08
(Date)

Michael W. Steuts
Chairperson or Township
Supervisor.
John Smith
Bl Y

CONDITIONAL USE PERMIT

DM

TOWNSHIP OF

For M-Power LLC.

July 14, 192008

Permit No. 100011

ATTACH TO A STANDARD BUILDING PERMIT FORM.

In reviewing the conditional use, have the following conditions been met satisfactorily?

- 1. Entrance and exit to property with reference to public safety, traffic flow, and convenience. Yes No
- 2. Parking and loading requirements of the specific use. Yes No
- 3. General compatibility with the surrounding property with due consideration for noise, odor or other adverse effects. Yes No
- 4. Required yards and open space. Yes No
- 5. Adequate utilities, access roads, drainage and other necessary site improvements have been made or are provided. Yes No

Please list any additional conditions which the applicant must address prior to issuance of the conditional use permit.

Zoning Commission Officers

Dan Myers

Jeff Burchell

Public Hearing Held 7:00 P.M. July 14, 2008

Conditional Use Was Issued: Yes No 7-14-08
Date

Riverside TOWNSHIP

PERMIT
for Zoning Changes, Conditional Uses
and Site Approvals

Permit No. _____

7-14-08
Date

This permit is issued to M-Power

for construction of wind towers & transmission lines

The applicant has met all requirements of the Riverside Township Zoning
Regulations: Yes, No.

Applicant is required to meet the conditions described below: return all
roads to current or better conditions
also be responsible for snow removal on
roads to obtain access to towers

7-14-08
Date

[Signature]
Chairperson of Township Supervisor

[Signature]
[Signature]

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