

**STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION**

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

**Case No. PU-08-766**

**ORDER GRANTING CERTIFICATE**

**December 3, 2008**

On September 12, 2008, Otter Tail Corporation (Otter Tail) filed an application for a Certificate of Public Convenience and Necessity to construct, own, and operate a 49.5 MW portion of the M-Power 157 MW Luverne Wind Farm consisting of thirty-three 1.5 MW wind turbines and associated generation equipment, transformers, 34.5 kV underground collector system, wind farm substation, and 13 miles of 230 kV transmission line all in Barnes and Steele Counties of North Dakota.

On October 8, 2008, the Commission issued a Notice of Opportunity for Hearing, which provided until November 26, 2008 for receiving written comments or hearing requests. No response has been received. The notice identified the following issues to be considered:

1. Whether public convenience and necessity will be served by construction and ownership of the facilities.
2. Whether the applicant is fit, willing and able to provide service.

On November 20, 2008, the Commission discussed this matter with representatives from Otter Tail and Commission staff at an informal hearing.

Otter Tail is a Minnesota corporation authorized to do business in North Dakota as a foreign corporation, and is doing business in North Dakota as a public utility subject to the jurisdiction of and regulation by this Commission.

Otter Tail currently serves approximately 129,000 retail electric customers in eastern North Dakota, western Minnesota and northeastern South Dakota. Otter Tail is an experienced electric generation, transmission and distribution utility with the experience and resources to own a 49.5 MW portion of the M-Power 157 MW Luverne Wind Farm.

This additional 49.5 MW of wind generation from the Luverne Wind Farm, along with the previous Langdon and Ashtabula projects and some smaller purchases, would fulfill the 160 MW of near-term wind energy resource requirements called for in Otter Tail's most recent integrated resource plan. Otter Tail has determined that ownership of these facilities is cost-effective compared to energy purchases.

The facilities for which Otter Tail seeks certification were permitted by this Commission in Case No. PU-08-34 where Certificate of Site Compatibility No. 9 was issued to M-Power authorizing construction of the Luverne Wind Farm in Griggs and Steele Counties, and Case No. PU-08-107 where Corridor Certificate No. 106 and Route Permit No. 116 were issued authorizing construction of the 230 kV transmission line in Barnes and Steele Counties, North Dakota.

The Commission finds public convenience and necessity will be served by construction and ownership of the facilities.

The Commission finds that Otter Tail is fit, willing and able to provide service.

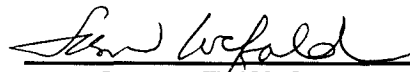
**Order**

The Commission Orders:

1. The application of Otter Tail Corporation d/b/a Otter Tail Power Company for a Certificate of Public Convenience and Necessity to construct and own electric generation facilities in North Dakota is GRANTED.
2. Certificate of Public Convenience and Necessity No. 5385 is issued to Otter Tail Corporation to construct and operate a 49.5 MW portion of the Luverne Wind Farm.

**PUBLIC SERVICE COMMISSION**

  
**Tony Clark**  
**Commissioner**

  
**Susan E. Wefald**  
**President**

  
**Kevin Cramer**  
**Commissioner**

**PUBLIC SERVICE COMMISSION**

**STATE OF NORTH DAKOTA**

**Certificate of Public Convenience and Necessity**

**Certificate Number 5385**

*This is to certify that public convenience and necessity require, and permission is granted for Otter Tail Corporation, to serve a 49.5 MW portion of the Luverne Wind Farm located in Barnes and Steele Counties, North Dakota.*

*This certificate is issued in accordance with the Order of this Commission dated December 3, 2008, in Case No. PU-08-766, and is subject to the conditions and limitations noted in the Order.*

*This certificate is conditioned upon Otter Tail Corporation securing the franchise or other authority of the proper municipal or other public authority for the exercise of these rights and privileges.*

*Bismarck, North Dakota, December 3, 2008.*

**ATTEST:**

**PUBLIC SERVICE COMMISSION**

  
**Executive Director**

  
**Commissioner**