



**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  
 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 hearing in Case No. PU-08-862 Otter Tail Corporation, Electric Rate Increase, Application to be held April 27, 2009 at 9:00 a.m. in the Commission Hearing Room, 12th Floor, State Capitol, Bismarck, North Dakota.

(e.g., application of [name], appeal of [name], petition of [name]). Authority for the administrative action is found in Title 49 \_\_\_\_\_ (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:

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 Public Service Commission	Address 600 E Boulevard Ave Dept 408 Bismarck ND 58505	Telephone Number 701-328-2400
Representation Ilona A. Jeffcoat-Sacco, General Counsel	Address Same as Above	Telephone Number 701-328-2407
PARTY Otter Tail Corporation dba Otter Tail Power Co.	Address 215 S Cascade St Fergus Falls MN 56537	Telephone Number 218-739-8200
Representation Bruce Gerhardson, Asst. General Counsel	Address Same as Above	Telephone Number 218-998-7108
PARTY	Address	Telephone Number
Representation	Address	Telephone Number

Additional Comments  
 The hearing will be tape recorded and a court reporter may be present.

(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 2-23-09
Signature of Requesting Person x	Telephone Number 701-328-2407

**STATE OF NORTH DAKOTA**  
**PUBLIC SERVICE COMMISSION**

**Otter Tail Corporation  
Electric Rate Increase  
Application**

**Case No. PU-08-862**

**NOTICE OF HEARING, PUBLIC INPUT SESSIONS AND INTERVENTION  
DEADLINE**

**December 17, 2008**

On November 3, 2008 Otter Tail Power Company (Otter Tail) filed a Notice for Change in Rates for Electric Service under North Dakota Century Code Section 49-05-05 and North Dakota Administrative Code Section 69-09-02-01. Otter Tail proposes a \$6 million or 5 percent increase in its annual North Dakota electric revenues. The proposed rates would affect Otter Tail's service to all of its approximately 57,000 retail electric customers in the State of North Dakota.

A **hearing** is scheduled to begin on **April 27, 2009 at 9:00 a.m. CT** in the Commission hearing room, State Capitol, 12th Floor, Bismarck, North Dakota 58505. Issues to be considered in this matter include:

1. What is the value of Otter Tail's property, used and useful, for the service and convenience of the public in North Dakota?
2. What is Otter Tail's rate of return on its property, used and useful, for the service and convenience of the public in North Dakota?
3. What is a just and reasonable rate of return on Otter Tail's property, used and useful, for the service and convenience of the public in North Dakota?
4. What rates and charges are necessary to provide a just and reasonable rate of return on Otter Tail's property, used and useful, for the service and convenience of the public in North Dakota?
5. Are Otter Tail's proposed rate schedules designed in such a manner that they result in a basis of charge to its customers that is just and reasonable without discrimination?

6. Other relevant information or proposals concerning the proceeding.

**Public Input Sessions** will be held via interactive television on **February 10, 2009 and March 23, 2009 at 12:00 noon CT** at locations set forth below. Members of the public are invited to appear and participate in the informal discussion. The session is not considered part of the technical hearing and the discussion at the session will not become part of the evidence reviewed by the Commission in making its decision. The discussion will, however, aid the Commission and its staff in identifying areas of concern to the members of the public and help customers better understand Otter Tail's request.

**Public Input Session Locations**

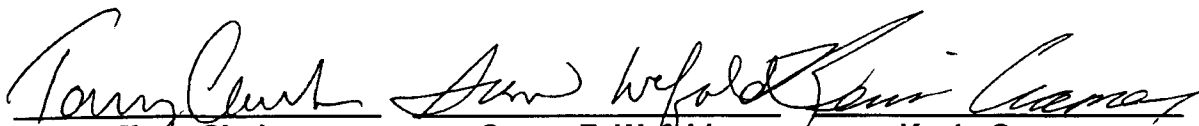
<p><b>Devils Lake</b> Lake Area Career and Technological Center 205-16<sup>th</sup> St. NW Devils Lake, ND</p>	<p><b>Jamestown</b> James Valley Career and Technological Center 910-12<sup>th</sup> Ave. NE, Room A Jamestown, ND</p>
<p><b>Washburn</b> Washburn Public School Boardroom 713-7<sup>th</sup> St. Washburn, ND</p>	<p><b>Wahpeton</b> Richland County Courthouse Commission Room 418-2<sup>nd</sup> Ave. N. Wahpeton, ND</p>
<p><b>Bismarck</b> Public Service Commission 12<sup>th</sup> Floor, State Capitol 600 E. Boulevard Avenue Bismarck, ND</p>	

The public will also be able to hear the input session by connecting to the Commission's web site <http://www.nd.gov/psc> and then clicking on the link at the bottom of the home page that says Broadcast of Public Input Sessions over IVN. The Commission will receive e-mail questions during the session at [ndpsc@nd.gov](mailto:ndpsc@nd.gov).

Anyone wishing to become a party to this proceeding must file a **Petition to Intervene by February 27, 2009**. A Petition to Intervene does not need to be filed to participate in the Public Input Session.

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**

  
**Tony Clark**  
Commissioner

**Susan E. Wefald**  
President

**Kevin Cramer**  
Commissioner