

215 South Cascade Street
PO Box 496
Fergus Falls, Minnesota 56538-0496
218 739-8200
www.otpco.com (web site)

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February 24, 2009

FEB 24 2009
PUBLIC SERVICE COMMISSION



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

Re: In the Matter of the Application of Otter Tail Power Company for Authority to Increase Rates for Electric Utility Service in North Dakota
Case No. PU-08-862

and


In the Matter of the Application of Otter Tail Power Company's Annual Filing for Renewable Resource Cost Recovery Factor
Case No. P: PU-08-742

Dear Mr. Nitschke:

The Large Industrial Group ("LGI"), by letter dated February 23, 2009, requested permission to file its Intervenor Direct Testimony on April 1, 2009, the same date on which Advocacy Staff will file its Direct Testimony. Otter Tail Power Company ("OTP") was opposed to that change because of the burden it imposes on OTP, as we are concurrently managing rate cases in both North Dakota and South Dakota. However, OTP and the LGI have further discussed their request and reached an agreement that allows the LGI to file their Intervenor Direct Testimony on April 1, 2009, in exchange for which the LGI agrees to not serve additional discovery in either of the above-captioned cases after March 2, 2009. In that manner, while the time period to respond to the Intervenor Direct Testimony has been shortened, OTP will not need to be simultaneously answering information requests from the Large Industrial Group.

Therefore, since this matter has been resolved to the mutual satisfaction of both the LGI and OTP, no further action should be required by the Commission on this matter.

Very truly yours,


Bruce Gerhardson
Associate General Counsel

65 **PU-08-862** Filed: 2/24/2009 Pages: 1
Letter indicating Parties' agreement on Testimony Filing Dates

Otter Tail Corporation
Counsel – Bruce Gerhardson

48 **PU-08-742** Filed: 2/24/2009 Pages: 1
Letter indicating Parties' agreement on Testimony Filing Dates

Otter Tail Corporation
Counsel – Bruce Gerhardson