

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

**Ashtabula Wind, LLC / Otter Tail Power Corporation
Partial Transfer of Site Certificate
Siting Application**

Case No. PU-09-53

AFFIDAVIT OF SERVICE BY CERTIFIED AND ORDINARY MAIL

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

Janet Marquart deposes and says that:

she is over the age of 18 years and not a party to this action and, on the **26th** day of **February, 2009**, she deposited in the United States Mail, Bismarck, North Dakota, **two** envelopes with certified postage, return receipt requested, fully prepaid, securely sealed and each containing a photocopy of:

Notice of Opportunity for Hearing

The envelopes were addressed as follows:

Mark B. Bring
Associate General Counsel
Otter Tail Corporation
215 South Cascade Street
PO Box 496
Fergus Falls, MN 56538-0496

Brian R. Bjella, Esq.
Crowley Fleck PLLP
Counsel of Record for Ashtabula Wind LLC
400 E. Broadway Ave., Ste. 600
PO Box 2798
Bismarck, ND 58502-2798

Cert. No. 7008 2810 0000 4606 2578

Cert. No. 7008 2810 0000 4606 6408

Janet Marquart further deposes and says that on the **26th** day of **February, 2009**, she deposited in the United States Mail, Bismarck, North Dakota, **two** envelopes by regular mail, with postage fully prepaid, securely sealed, each containing a photocopy of the same.

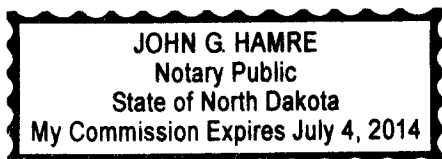
Bernadeen Brutlag
Manager, Regulatory Services
Otter Tail Power Company
PO Box 496
Fergus Falls, MN 56538-0496

Scott Scovill
Project Director
FPL Energy
700 Universe Boulevard
Juno Beach, FL 33408-2683

Each address shown is the respective addressee's last reasonably ascertainable post office address.

Subscribed and sworn to before me
this **26th** day of **February, 2009**.

SEAL



Janet Marquart

John G. Hamre

Notary Public

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Affidavit Cert., Regular – Notice of Opportunity for Hearing

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**NOTICE OF OPPORTUNITY FOR HEARING
February 25, 2009**

On May 30, 2008, in Case No. PU-08-32, the Commission issued Certificate of Site Compatibility No. 7 to Ashtabula Wind, LLC (Ashtabula Wind) authorizing construction of a 200 MW Ashtabula Wind Energy Center (AWEC) in Barnes County, North Dakota. As the Commission found in Finding of Fact #7 of its decision approving issuance of the certificate, Otter Tail Corporation d/b/a Otter Tail Power Company (Otter Tail) filed an application for a certificate of public convenience and necessity to construct and own 32 of the AWEC turbines and associated facilities totaling 48 MW of nameplate generating capacity. Otter Tail was issued Certificate of Public Convenience and Necessity No. 5347 for its 48 MW portion of the AWEC on July 2, 2008 in Case No. PU-08-200.

On February 6, 2009, in Case No. PU-09-53, Otter Tail and Ashtabula Wind filed a joint Application for Partial Transfer of Certificate of Site Compatibility, seeking to have transferred to Otter Tail only the rights and obligations of Certificate of Site Compatibility No. 7 that coincide with the geographical portion of the AWEC for which the Commission issued Certificate of Public Convenience and Necessity No. 5347.

The issues to be considered in this matter are whether Otter Tail agrees and is able to comply with the terms and conditions of the siting certificate currently issued to Ashtabula Wind and whether the requested certificate transfer is compatible with the public interest.

Those interested are invited to comment on this application in writing. Persons desiring a hearing must file a written request identifying their interest in the proceeding and the reasons for requesting a hearing. Comments and requests for hearing must be received by **April 1, 2009**. If deemed appropriate, the Commission can determine the matter without a hearing.

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 the Commission.

PUBLIC SERVICE COMMISSION


Tony Clark
Commissioner


Kevin Cramer
President


Brian P. Kalk
Commissioner