

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

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

Case No. PU-09-53

AFFIDAVIT OF SERVICE BY ORDINARY, INSIDE MAIL, & ELECTRONIC 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, **41** envelopes by first class mail, fully prepaid, securely sealed, **14** envelopes by Inside Mail, each containing a photocopy, and **47** electronic mail messages, each with an attached electronic copy of:

Notice of Opportunity for Hearing

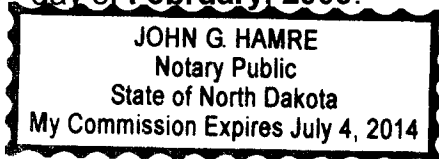
The envelopes and electronic mails respectively were addressed as follows:

See attached list

Each post office address shown is the respective addressee's last reasonably ascertainable post office address and each email address is the respective addressee's last reasonably ascertainable electronic mailing address.

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

SEAL



Janet Marquart

John G. Hamre

Notary Public

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

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

Case No. PU-09-53

**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**

Steven Tomac

2498 59th St
St Anthony ND 58566-9640

Roger Johnson
Agriculture Department
State Capitol
Bismarck ND 58505

Arvid Barstad
Cementing Service
710 W 15th St
Williston ND 58801

Will Kaul
Cooperative Power Association
P O Box 800
Elk River MN 55330-0800

Dakota Resource Council
PO Box 1095
Dickinson ND 58602-1095

Carol Olson
Department of Human Services
State Capitol
Bismarck ND 58505

J Williams
Dome Pipeline Corporation
2959 Sierra Ct SW
Iowa City IA 52246

Cathy Callahan
Geo Resources Inc
PO Box 1505
Williston ND 58801-1505

Historical Society
North Dakota Heritage Center
Bismarck ND 58505

News Director
KHND AM Radio
PO Box 6
Harvey ND 58341-0006

Stanley Wright

Box 97
Stanley ND 58784-0097

Mike Hummel
BNI Coal, Ltd.
PO Box 897
Bismarck ND 58502-0897

Bob Fogarty
Cenex Minot Terminal
Box 429
Minot ND 58701-0429

Todd Lindquist
Corp of Engineers
PO Box 527
Riverdale ND 58565-0527

Department of Commerce
1600 E Century Ave Ste 20
Bismarck ND 58503-0649

Dept of Career and Technical Education
State Capitol
Bismarck ND 58505

Jeff Engleson
Energy Development Impact Office
1707 N 9th St
Bismarck ND 58501

John Hoeven
Governor's Office
State Capitol
Bismarck ND 58505

Jay Casler
INDEPTH DATA INC
44 S Bdwy 18th Fl
White Plains NY 10601-4425

Jeff Burgess
Lignite Energy Council
PO Box 2277
Bismarck ND 58502-2277

Harvey Ness
Lignite Energy Council
PO Box 2277
Bismarck ND 58502-2277

City of Luverne
Mayor
PO Box 144
Luverne ND 58056

City of Oriska
Mayor
PO Box 306
Oriska ND 58063

City of Pillsbury
Mayor
PO Box 31
Pillsbury ND 58065

City of Sibley
Mayor
107 Lake Ave.
Sibley ND 58429

City of Valley City
Mayor
254 2nd Ave NE PO Box 390
Valley City ND 58072

Dave Goodin
Montana-Dakota Utilities Co
400 North 4th Street
Bismarck ND 58502-1457

Galen Anderson
Nakota Company
PO Box 1633
Bismarck ND 58502-1633

Mike Foley
NARUC
1101 Vermont Avenue NW Ste 200
Washington DC 20005

James Irwin
Natural Gas Week
1411 K Street Suite 602
Washington DC 20005-3404

NATURAL RESOURCE CONSERVATION SVC
PO BOX 1458
BISMARCK ND 58502-1458

Thomas Hanson
ND Assoc of Soil Conservation Dist
3310 University Drive
Bismarck ND 58504-7564

Harlan Fuglesten
ND Association of RECs
PO Box 727
Mandan ND 58554-0727

ND Department of Commerce

MR ED MURPHY
ND GEOLOGICAL SURVEY
INSIDE MAIL

Mike Haupt
ND Land Department
1707 N 9th St
Bismarck ND 58501

Public Utilities Reports Inc
Law Dept 8229 Boone Blvd Ste 401
Vienna VA 22182

Dale Frink
State Engineer
ND Water Commission 900 East Boulevard
Bismarck ND 58505

State Health Department
State Capitol
Bismarck ND 58505

CHET POLLERT
STATE REPRESENTATIVE
560 S 6TH ST
CARRINGTON ND 58421-2317

CRAIG HEADLAND
STATE REPRESENTATIVE
4950 92ND AVE SE
MONTPELIER ND 58472-9630

TERRY WANZEK
STATE SENATOR
900 7TH AVE SW
JAMESTOWN ND 58401-4542

Janell Cole Capitol Reporter
The Forum
Inside Mail

John Kapsner
The Vogel Law Firm
P O Box 2097
Bismarck ND 58502-2097

Chief of Resource Management
Theodore Roosevelt National Park
P O Box 7
Medora ND 58645-0007

Valerie Naylor
Theodore Roosevelt Nat'l Park
PO Box 7
Medora ND 58645

M Zschomler
U S Fish & Wildlife
3425 Miriam Ave
Bismarck ND 58501-7926

Steve Williams
U S Forest Service
240 W Century Ave
Bismarck ND 58501-1494

District Chief
U S Geological Survey
821 E Interstate Ave
Bismarck ND 58501

District Engineer
US Army Engineer District Omaha
106 S 15th St
Omaha NE 68102-1618

Jon Cameron
Valley City Public Works
254 2nd Ave NE
Valley City ND 58072

Brian Morris
Western Area Power Administration
PO Box 1173
Bismarck ND 58502-1173

Keith Tiggelaar
Williston Basin Interstate Pplne Co
P O Box 5601
Bismarck ND 58506-5601

Bonnie Lund
Xcel Energy
PO Box 2747
Fargo ND 58108-2747

Paul Lehman
Xcel Energy
414 Nicollet Mall
Minneapolis MN 55401-1993

ndaero@nd.gov
Melinda Weninger
Aeronautics Commission
PO Box 5020
Bismarck ND 58502-5020

rharper@bepc.com
Ron Harper
Basin Electric Power Cooperative
1717 E Interstate Ave
Bismarck ND 58501-0564

carp1091@qwest.net
Robert Colton
Carpenters Union
217 S Mandan St
Bismarck ND 58504-5516

bschmidt@kwh.com
Brad Schmidt
Cass County Electric Coop
4100 32nd Ave SW
Fargo ND 58104

jwmorris@flecklaw.com
John Morrison
Crowley Fleck PLLP
PO Box 2798
Bismarck ND 58502-2798

dsaggau@GREnergy.com
Davic Saggau
Great River Energy
P O Box 800
Elk River MN 55330-0800

kander@ictc.com
Keith Anderson
Inter-Community Telephone Company LLC
PO Box 8
Nome ND 58062-0008

sales@kmavradio.com
KMAV AM/FM RADIO
PO Box 216
Mayville ND 58257-0216

harking@oz.net
Harriet King
McGraw-Hill/Platts

phillip.franklin@minot.af.mil
Lt. Col. Phil Franklin
Minot Air Force Base 91st Missile Wing
300 Minuteman Drive, Ste 101
Minot AFB ND 58705-5016

apbismarck@ap.org
Phyllis Mensing
Associated Press
PO Box 1018
Bismarck ND 58502-1018

colson@bepc.com
Clare Olson
Basin Electric Power Cooperative
1717 E Interstate Ave
Bismarck ND 58501-0564

shandy@kwh.com
Scott Handy
Cass County Electric Coop
4100 32nd Ave SW
Fargo ND 58104

bbjella@crowleyfleck.com
Brian R. Bjella
Crowley Fleck PLLP
PO Box 2798
Bismarck ND 58502-2798

jmittleider@nd.gov
John Mittleider
Department of Commerce
600 East Blvd
Bismarck ND 58505

tgrove@greenergy.com
Terry Grove
Great River Energy
P O Box 800
Elk River MN 55330-0800

nlange@iwla.org
Nancy Lange
Izaak Walton League of America
1619 Dayton Ave Ste 202
St Paul MN 55104

sanditabor@lignite.com
Sandi Tabor
Lignite Energy Council
PO Box 2277
Bismarck ND 58502-2277

dloer@minnkota.com
David W. Loer
Minnkota Power Cooperative, Inc
Box 13200
Grand Forks ND 58208-3200

karen.collins@mdu.com; tamie.aberle@mdu.com
Karen Collins
Montana-Dakota Utilities Co
400 North 4th Street
Bismarck ND 58502-1457

don.ball@mdu.com
Don Ball
Montana-Dakota Utilities Co
400 North 4th Street
Bismarck ND 58502-1457

ronness@ndoil.org

N D Petroleum Council
PO Box 1395
Bismarck ND 58502-1395

hfuglest@ndarec.com
Harlan Fugelsten
ND Assn Rural Electric Cooperatives
PO Box 727
Mandan ND 58554-0727

fziegler@nd.gov
Francis Ziegler, P.E.
ND Department of Transportation
State Highway Building
Bismarck ND 58505

mdaley@nd.gov
Maren Daley
ND Job Service
P.O. Box 5507 INSIDE MAIL
Bismarck ND 58506-5507

julie.tessier@thomson.com
Julie Tessier
Netscan

jim.melchior@coteau.com
Jim Melchior
North American Coal Corp
2000 Schafer St Ste D
Bismarck ND 58501-1204

dprchal@nd.gov
Doug Prchal
North Dakota Parks & Rec
1600 E Century Ave, Ste. 3 INSIDE MAIL
Bismarck ND 58503-0649

beth.jensen@transcanada.com
Beth Jensen
Northern Border Pipeline Company
PO Box 3330
Omaha NE 68103-0330

lakeleader@aol.com
John M Wylie II
Platts Electric Power Publications
109 S Maple St
Oologah OK 74053-1175

dave.goodin@mdu.com
Dave Goodin
Montana-Dakota Utilities Co
400 North 4th Street
Bismarck ND 58502-1457

jpaczkowski@nd.gov
John Paczkowski
N D Water Commission
900 E Boulevard
Bismarck ND 58505

tom@ndcorn.org
Tom Lilja
ND Corn Utilization Council
1411 32nd Street South Suite 2
Fargo ND 58103

tsteinwa@nd.gov
MR TERRY STEINWAND
ND GAME & FISH DEPT
INSIDE MAIL

lmcevers@nd.gov
Lisa K Fair-McEvers
ND Labor Dept
600 E Blvd Ave
Bismarck ND

carla.deutsch@thomson.com
Carla Deutsch
Netscan

asap@bis.midco.net
Allyn Sapa
North Dakota Chapter of the Wildlife Society
PO Box 1442
Bismarck ND 58505-0480

pat@ndta.net
Patricia Gisinger
North Dakota Telephone Assoc
PO Box 2614
Bismarck ND 58502-2614

omb@nd.gov

OMB
600 E. Boulevard Dept. 110
Bismarck ND 58505-0406

JOHN.BRODBECK@SHELL.COM
JOHN BRODBECK
SHELL ENERGY NORTH AMERICA
340 E MAPLE AVE, STE 204A
LANGHORNE PA 19047

dloer@minnkota.com
David Loer
Square Butte Elec Coop
PO Box 13200
Grand Forks ND 58208-3200

john.irby@bismarcktribune.com
John Irby, Editor
The Bismarck Tribune
PO Box 5516
Bismarck ND 58502-5516

news@wdaz.com

WDAZ-TV
PO Box 12639
Grand Forks ND 58208-2639

dave.sederquist@xcelenergy.com
Dave Sederquist
Xcel Energy
PO Box 2747
Fargo ND 58108-2747

mdickerson@nd.gov
Marcy Dickerson
State Tax Department
State Capitol
Bismarck ND 58505

kjvannin@usgs.gov
K Vannin
U S Geological Survey

keith.tiggelaar@wbip.com
Keith Tiggelaar
Williston Basin Interstate Pplne Co
P O Box 5601
Bismarck ND 58506-5601