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MAY 18 2009

May 18, 2009

PUBLIC SERVICE COMMISSION

Mr. Darrell Nitschke
Executive Secretary
Director of Administration
North Dakota Public Service Commission
600 East Boulevard, Dept. 408
Bismarck, ND 58505-0408

*Via E-Filing to ndpsc@nd.gov
and UPS Overnight Mail*

**RE: In the Matter of M-Power, LLC / Otter Tail Corporation Transfer of Site
Certificate Siting Application
Case No. PU-09-73**

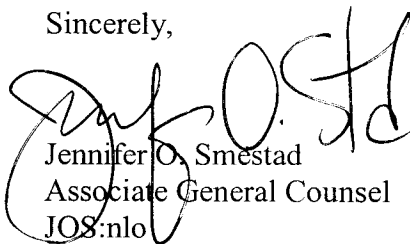
**In the Matter of M-Power, LLC / Otter Tail Corporation Transfer Corridor
Certificate 106 and Route Permit 116 Siting Application
Case No. PU-09-136**

Dear Executive Secretary Nitschke:

Enclosed for filing in the above-referenced matter are an original and seven (7) copies of an Affidavit of Charles S. MacFarlane dated May 18, 2009.

Thank you for your attention to this matter.

Sincerely,



Jennifer O. Smestad
Associate General Counsel
JOS:nlo

Enclosures

cc: Lawrence Bender, Esq.

10 PU-09-136 Filed: 5/18/2009 Pages: 2
Affidavit of Charles S. MacFarlane

Otter Tail Corporation
Jennifer Smestad, Assoc. General Counsel

11 PU-09-73 Filed: 5/18/2009 Pages: 2
Affidavit of Charles S. MacFarlane

Otter Tail Corporation
Jennifer Smestad, Assoc. General Counsel

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

In the Matter of M-Power, LLC / Otter Tail)
Corporation Transfer of Site Certificate)
Siting Application)

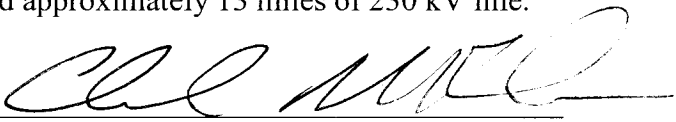
Case No. PU-09-73

In the Matter of M-Power, LLC / Otter Tail)
Corporation Transfer Corridor Certificate)
106 and Route Permit 116 Siting Application)

Case No. PU-09-136

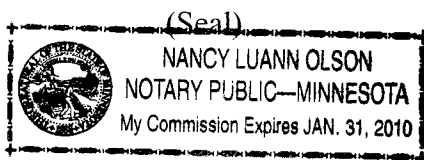
AFFIDAVIT OF CHARLES S. MACFARLANE

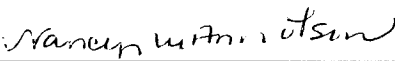
1. I am employed by Otter Tail Power Company as President, and I make this affidavit on the basis of my own personal knowledge and belief as to the matters contained herein.
2. I am familiar with the both of Commission's Findings of Fact, Conclusions of Law and Orders of October 30, 2008 in PU-08-34 and October 30, 2008 in PU-08-107 and with the Certificate of Site Compatibility for an Energy Conversion Facility Number 9, Certificate of Compatibility of Transmission Facility ("Certificate of Corridor Compatibility") Corridor Number 106, and Route Permit Number 116, all of the same date.
3. Otter Tail agrees to assume the rights and obligations of the Certificate of Site Compatibility and Certificate of Corridor Compatibility and Route Permit as referenced above (and the conditions and limitations of the applicable October 30, 2008 Orders as incorporated by reference) for which the Commission, in Case No. PU-08-766 on December 8, 2008, issued a Certificate of Public Convenience and Necessity Number 5385 to Otter Tail for Otter Tail's construction, ownership, and operation of a 49.5 MW portion of the 157 MW M-Power, LLC Luverne Wind Farm. Otter Tail's portion of such farm will consist of thirty-three 1.5 MW turbines and associated generation equipment, transformers, wind farm substation, and approximately 13 miles of 230 kV line.



Charles S. MacFarlane

Subscribed and Sworn to this 18th day of May, 2009





Notary Public