

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

**M-Power, LLC / Otter Tail Corporation  
Transfer of Site Certificate  
Siting Application**

**Case No. PU-09-73**

**M-Power, LLC / Otter Tail Corporation  
Transfer Corridor Cert 106 & Rte Permit 116  
Siting Application**

**Case No. PU-09-136**

**AFFIDAVIT OF SERVICE BY CERTIFIED 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 14<sup>th</sup> day of **April, 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:

Lawrence Bender  
Attorney for M-Power, LLC  
200 N 3<sup>rd</sup> St, Suite 150  
PO Box 1855  
Bismarck ND 58502-1855

Jennifer O. Smestad  
Associate General Counsel  
Otter Tail Corporation  
215 S Cascade St  
Fergus Falls MN 56538-0496

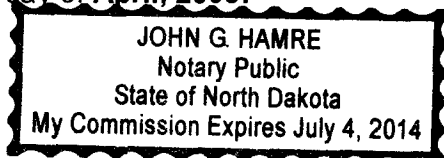
**Cert. No. 7008 1830 0004 1758 8253**


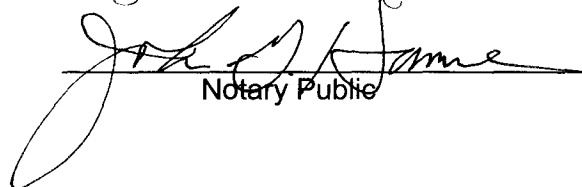
**Cert. No. 7008 1830 0004 1758 8260**

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

Subscribed and sworn to before me  
this 14<sup>th</sup> day of **April, 2009**.

SEAL



  
  
Notary Public

**STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION**

**M-Power, LLC / Otter Tail Corporation  
Transfer of Site Certificate  
Siting Application**

**Case No. PU-09-73**

**M-Power, LLC / Otter Tail Corporation  
Transfer Corridor Cert 106 & Rte Permit 116  
Siting Application**

**Case No. PU-09-136**

**NOTICE OF OPPORTUNITY FOR HEARING  
April 13, 2009**

On October 30, 2008, in Case No. PU-08-34, the Commission issued Certificate of Site Compatibility No. 9 to M-Power, LLC (M-Power) authorizing construction of Phase II of its proposed Luverne Wind Farm consisting of 33 turbines and associated facilities totaling 49.5 MW of nameplate generating capacity in Steele County, North Dakota.

Also on October 30, 2008, in Case No. PU-08-107, the Commission issued Certificate of Corridor Compatibility No. 106 and Route Permit No. 116 to M-Power authorizing construction of approximately 13 miles of 230 kV transmission line and associated facilities in Barnes and Steele County, North Dakota.

On February 20, 2009, Otter Tail and M-Power filed a joint Application for transfer of Certificate of Site Compatibility No. 9 (Case No. PU-09-73) and for transfer of Certificate of Corridor Compatibility No. 106 and Route Permit No. 116 (Case No. PU-09-136) to Otter Tail Corporation d/b/a Otter Tail Power Company (Otter Tail).

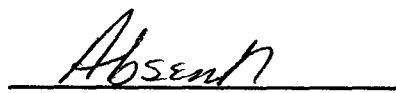
The issues to be considered in these matters are whether Otter Tail agrees and is able to comply with the terms and conditions of the certificates and permits issued to M-Power and whether the requested transfers are compatible with the public interest.

Those interested are invited to comment on the applications in writing. Persons desiring a hearing must file a written request identifying their interest in the proceeding(s) and the reasons for requesting a hearing. Comments and requests for hearing must be received by **May 12, 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**

**3**    **PU-09-136**    Filed: 4/13/2009    Pages: 1  
**Notice of Opportunity for Hearing**

**3**    **PU-09-73**    Filed: 4/13/2009    Pages: 1  
**Notice of Opportunity for Hearing**