



Public Service Commission
State of North Dakota

COMMISSIONERS

Kevin Cramer
Tony Clark
Brian P. Kalk

Executive Secretary
Darrell Nitschke

May 8, 2009

600 E. Boulevard Ave. Dept 408
Bismarck, North Dakota 58505-0480
Web: www.nd.gov/psc
E-mail: ndpsc@nd.gov
TDD 800-366-6888 or 711
Fax 701-328-2410
Phone 701-328-2400

Ms. Jennifer Smestad, Associate General
Counsel
Otter Tail Corporation
PO Box 496
Fergus Falls, MN 56538-0496

Mr. Lawrence Bender, Attorney
M-Power, LLC
Fredrikson & Byron
PO Box 1855
Bismarck ND 58502-1855

RE: Case No. PU-09-73
M-Power, LLC
Transfer of Site Certificate
Siting Application

Case No. PU-09-136
M-Power, LLC/Otter Tail Corporation
Transfer Corridor Cert 106 & Rte Prmt 116
Siting Application

We have been furnished with the invoice for publication of the Notice of Hearing in the above-referenced docket.

Enclosed is a copy of the affidavit of publication for your file and the statement from the North Dakota Newspaper Association in the amount of \$111.54. Under North Dakota Century Code Section 49-22-13: *"Notice of public hearing and notice of opportunity for public hearing on an application for a certificate, a permit, a transfer, or a waiver shall be given at the expense of the applicant."*

Please determine how the publications will be paid amongst your entities, and make your payment directly to the North Dakota Newspaper Association.

Sincerely,

Patrick Fahn, Director
Compliance and Competitive Markets

Enc. cc: North Dakota Newspaper Association
Bernadeen Brutlag, Otter Tail Corporation
Warren Enyart, M-Power, LLC
Lloyd Anderson, Otter Tail Corporation

9 PU-09-136 Filed: 5/8/2009 Pages: 5
Letter to Companies to Pay NDNA Invoice
10 PU-09-73 Filed: 5/8/2009 Pages: 5
Letter to Companies to Pay NDNA Invoice



North Dakota Newspaper Association

1435 Interstate Loop
Bismarck, ND 58503-0567
Ph (701) 223-6397 • Fax (701) 223-8185

INVOICE

Order 26376-09043PP1

Invoice # 113388

April 23, 2009

Attn: JANET MARQUART
PUBLIC SERVICE COMMISSION
600 E. BOULEVARD AVE.
STATE CAPITOL
BISMARCK, ND 58505

Voice: 701-328-4076

Advertiser: Public Service Commission

P.O.#: PU-09-73 & PU-09-136

Amount Due **\$111.54**

Amount Paid

Please detach and return this portion with your payment

Public Service Commission Invoice # 26376-09043PP1-113388 PO# PU-09-73 & PU-09-136

Ad Size	Rate Type	Rate	Total	Discount (%)	Caption	Page	Run Date
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Finley Steele County Press (Finley ND)

79.00 SPR2 0.53 42.24 0.00 M-Power LLC 04/17/09

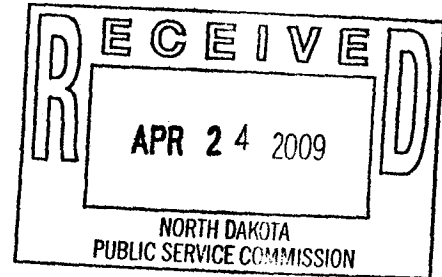
Valley City Times-Record (Valley City ND)

77.00 SPR2 0.90 69.30 0.00 M-Power LLC 04/17/09

Gross Advertising	111.54	Total Misc	0.00	Amount Paid	0.00
Agency Discount		Tax	0.00	Adjustments	0.00
Other Discount	0.00	Total Billed	111.54	Payment Date	
Service Charge	0.00	Unbilled	0.00	Balance Due	111.54

Your payment is due upon receipt. Thank you in advance for your prompt payment!

to be paid directly by applicant
By



7 PU-09-136 Filed: 4/24/2009 Pages: 1
Invoice #113388 Order #26376-09043PP1 \$111.54

North Dakota Newspaper Association

8 PU-09-73 Filed: 4/24/2009 Pages: 1
Invoice #113388 Order #26376-09043PP1 \$111.54

North Dakota Newspaper Association

Affidavit of Publication

Colleen Park, being duly sworn, states as follows:

1. I am the designated agent, under the provisions and for the purposes of, Section 31-04-06, NDCC, for the newspapers listed on the attached exhibits.
2. The newspapers listed on the exhibits published the advertisement of: **Public Service Commission – M-Power, LLC / Otter Tail Corporation** ... **Case No. PU-09-73, 1 time(s)** as required by law or ordinance.
3. All of the listed newspapers are legal newspapers in the State of North Dakota and, under the provisions of Section 46-05-01, NDCC, are qualified to publish any public notice or any matter required by law or ordinance to be printed or published in a newspaper in North Dakota.

Signed: Colleen Park

State of ND

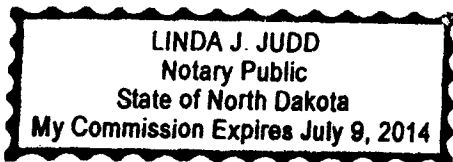
County of BURLEIGH

Subscribed and sworn to before me this 22nd day of April, 2009.

Linda J. Judd

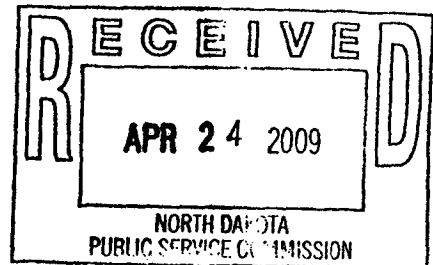
8 PU-09-136 Filed: 4/24/2009 Pages: 1
Affidavit of Publication with Tear Sheets

North Dakota Newspaper Association



9 PU-09-73 Filed: 4/24/2009 Pages: 3
Affidavit of Publication with Tear Sheets

North Dakota Newspaper Association



STATE OF NORTH DAKOTA
COUNTY OF BARNES

IN DISTRICT COURT
SOUTHEAST JUDICIAL DISTRICT

Countrywide Home Loans Servicing
LP,

Plaintiff,

vs,

David Hermeling; Sherry L.
Hermeling; FIA Card Ser., S/A to
Bank of America; FIA Card
Services; and any person in pos-
session,

Defendants.

**Civil No. 09-C-52
SUMMONS**

THE STATE OF NORTH DAKOTA
TO THE ABOVE NAMED DEFEN-
DANTS:

You are hereby summoned to
appear and defend against the
Complaint in this action, which has
been filed with the Clerk of Court or
is herewith served upon you, by
serving upon the undersigned a
copy of an answer or other proper
response within twenty (20) days
after the service of this Summons
upon you, exclusive of the day of
service. If you fail to do so, judg-
ment by default will be taken against
you for the relief demanded in the
Complaint. The original Complaint
is filed with the Clerk of the District
Court in the County in which this
action is commenced.

This action relates to the foreclo-
sure of a mortgage upon the follow-
ing described real property in the
County of Barnes, State of North
Dakota:

Auditors Lot Number One of the
Northwest Quarter of Section
Eleven, Township One Hundred
Thirty-eight; Range Fifty-seven,
Barnes County, North Dakota, more
particularly described as follows:
Commencing at the Southwest corner
of the Northwest Quarter of said
Section Eleven; thence North
00°04'25" West along the Section
line a distance of 456.46 feet to the
point of beginning; thence continu-
ing North 00°04'25" West along the
Section line a distance of 1,007.07
feet to a point; thence North
89°59'00" East a distance of
1,345.51 feet to an iron pin; thence
South 01°59'11" East a distance of
784.00 feet to an iron pin; thence
South 89°38'37" West a distance of
200.53 feet to an iron pin; thence

South 00°01'52" East a distance of
162.21 feet to an iron pin; thence
South 87°02'39" West a distance of
1,172.51 feet to the point of begin-
ning. Along with a parcel of land for
ingress and egress situated in the
Northwest Quarter of Section
Eleven, Township One Hundred
Thirty-eight, Range Fifty-seven,
Barnes County, North Dakota, more
particularly described as follows:
Commencing at the Southwest corner
of the Northwest Quarter of said
Section Eleven; thence South
89°58'06" East along the Quarter
line a distance of 182.48 feet to the
point of beginning, thence a strip of
land 20 feet wide lying 10 feet on
either side of a line North 35°46'18"
East a distance of 596.57 feet to the
point of termination; and a parcel of
land for ingress and egress situated
in the Southwest Quarter of Section
Eleven, Township One Hundred
Thirty-eight, Range Fifty-seven,
Barnes County, North Dakota, more
particularly described as follows:
Commencing at the Northwest corner
of the Southwest Quarter of said
Section Eleven; thence South
89°58'06" East along the Quarter
line a distance of 182.48 feet to the
point of beginning; thence a strip of
land 20 feet wide, lying 10 feet on
either side of a line South 37°03'22"
West a distance of 302.36 feet to a
point on the West line of said
Section Eleven, the point of termi-
nation. a.k.a 4316 124th Avenue SE,
Fingal, ND 58031.

The Plaintiff is not seeking a per-
sonal judgment against the above-
named Defendants.

Dated February 25, 2009.

MACKOFF KELLOGG LAW FIRM
Attorneys for the Plaintiff
Office and Post Office Address:
46 West Second Street, P.O. Box
1097
Dickinson, North Dakota 58602-
1097
Tel: (701) 227-1841
Fax: (701) 227-4739

By:
Sandra K. Kuntz, Attorney #05186

THIS IS AN ATTEMPT TO COL-
LECT THE REFERENCED DEBT
AND ANY INFORMATION
OBTAINED WILL BE USED FOR
THAT PURPOSE. THIS COMMU-
NICATION IS FROM A DEBT COL-
LECTOR.

(April 3, 10, & 17, 2009)

-726-
STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION
M-Power, LLC / Otter Tail
Corporation

Transfer of Site Certificate
Stipulation Application
Case No. PU-09-73
M-Power, LLC / Otter Tail
Corporation
Transfer Corridor Cert 106 & Rte
Permit 116
Stipulation 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 asso-
ciated 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 author-
izing 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 cer-
tificates and permits issued to M-
Power and whether the requested
transfers are compatible with the
public interest.

Those interested are invited to com-
ment 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 mat-
ter 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

(April 17, 2009)

Know your neighbors
The Valley City Times-Record
makes it possible

Monday, April 6, 2009
 Present were Mayor Larry Amundson and Council members Merle Ferry, Brian Tuite, and Todd Borth. Absent was Tori Archer. Also present were Wayne Beckman, Nick Gludt, Bobbie Cameron, Lori Mehus, George Braun III, and Suzanne Halvorson.

Minutes of the last regular meet-

sewer rehabilitation and water meters and reading equipment. It was moved by Tuite and seconded by Borth to authorize Moore Engineering to submit to Rural Development a grant application for sanitary sewer rehabilitation and water meter and reading equipment. Motion carried.

It was moved by Borth and sec-

and improvements. Motion carried.

Lori Mehus and Bobbie Cameron from the Finley Ambulance Squad met to discuss the purchase of a used 2001 ambulance from Steele, ND. They also requested \$2,500.00 to help pay Lori Mehus for teaching the EMT Class. It was moved by Tuite and

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 Finley Men's
 ried.

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 ried.

It was move
 onded by Ferr
 Motion carrie

Notice of Hearing

STATE OF NORTH DAKOTA PUBLIC SERVICE COMMISSION

M-Power, LLC/Otter Tail Corporation Transfer of Site Certification Sitting Application Case No. PU-09-73

M-Power, LLC/Otter Tail Corporation Transfer Corridor Cert. 106 & Rte Permit 116 Sitting Application Case No. PU-09-136

NOTICE OF OPPORTUNITY FOR HEARING

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 re-

quested 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
 COMMISSIONER**
 Tony Clark, Commissioner
 Kevin Cramer, President
 Brian P. Kalk, Commissioner
 SCP April 17, 2009



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 chemical
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Scott: 701-789-0209

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Citizens St
 Steele Count
 Tail Power-\$
 Water Dist.-\$
 \$8.99; An
 NDPERS-\$4.
 tric-\$510.89;
 \$113.85; Fi
 MLGC-\$102

Larimc
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FURNITURE
 dressers, w
 chairs, Form
 table incl. te
 and TV stan
 incl. waffle-
 (2) vacuums
 tors, file cal
 ders, ceiling
SPORTING
 bike, ladies
 carts, golf t
 Max 50-50
 Elliptical cr
 cise bike.

OUTDOOR
 seat, glass