STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

M-Power, LLC / Otter Tail Corporation — **Case No. PU-09-73**
Transfer of Site Certificate
Siting Application

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

ORDER REISSUING CERTIFICATES AND PERMIT
May 20, 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 December 3, 2008, in Case No. PU-08-766 the Commission issued Certificate of Public Convenience and Necessity No. 5385 to Otter Tail Corporation d/b/a Otter Tail Power Company (Otter Tail) authorizing it to construct and own Phase II of the Luverne wind farm and associated 230 kV transmission facilities.

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.

On April 13, 2009, the Commission issued a Notice of Opportunity for Hearing, which provided until May 12, 2009 for receiving written comments or requests for hearing. No response was received. The notice stated that 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.

Otter Tail is a Minnesota corporation authorized to do business in North Dakota as a foreign corporation, and is doing business in North Dakota as a public utility subject to the jurisdiction of and regulation by this Commission.

Otter Tail currently serves retail electric customers in eastern North Dakota, western Minnesota and northeastern South Dakota. Otter Tail is an experienced electric generation, transmission and distribution utility with the experience and resources to own and operate Phase II of the Luverne Wind Farm and associated transmission facilities.

The Commission finds Otter Tail agrees and is able to comply with the terms and conditions of the siting certificates and route permit currently issued to M-Power.

The Commission finds the requested certificate transfers compatible with the public interest.

Order

The Commission Orders:

1. The joint applications of Otter Tail Corporation and M-Power, LLC for transfer of Certificate of Site Compatibility No. 9, Certificate of Corridor Compatibility No. 106 and Route Permit No. 116 are granted.

2. First Reissued Certificate of Site Compatibility No. 9, First Reissued Certificate of Corridor Compatibility No. 106 and First Reissued Route Permit No. 116 are issued to Otter Tail Corporation for the 49.5 MW Phase II portion of the Luverne Wind Farm and associated 230 kV transmission facilities for which the Commission issued Certificate of Public Convenience and Necessity No. 5385 in Case No. PU-08-776.

PUBLIC SERVICE COMMISSION

Tony Clark	**Kevin Cramer**	**Brian P. Kalk**
Commissioner	**President**	**Commissioner**

PUBLIC SERVICE COMMISSION

STATE OF NORTH DAKOTA

Certificate of Site Compatibility for Energy Conversion Facility

First Reissued
Certificate Number 9

This is to certify that the Commission has designated an energy conversion facility site for Otter Tail Corporation for Phase II of the Luverne Wind Farm consisting of up to 33 1.5 MW wind turbine generators, collection substation and associated facilities in Griggs and Steele Counties of North Dakota.

The facility may be sited in this designated location in compliance with the energy conversion facility siting criteria. This certificate is issued in accordance with the Finding of Fact, Conclusion of Law and Order of the Commission in Case No. PU-08-34 dated October 30, 2009 and the Order Reissuing Certificates and Permit in Case No. PU-09-73 dated May 20, 2009 and is subject to the conditions and limitations noted in those orders.

Bismarck, North Dakota, May 20, 2009.

ATTEST: ***PUBLIC SERVICE COMMISSION***

Executive Secretary ***Commissioner***

PUBLIC SERVICE COMMISSION

STATE OF NORTH DAKOTA

Certificate of Site Compatibility for a Transmission Facility Corridor

First Reissued
Certificate Number 106

This is to certify that the Commission has designated a transmission facility corridor for Otter Tail Corporation for approximately 13 miles of 230 kV 3-phase alternating current transmission line in Barnes and Steele Counties of North Dakota.

This certificate is issued in accordance with the Findings of Fact, Conclusions of Law and Order of this Commission dated October 30, 2008 in Case No. PU-08-107 and the Order Reissuing Certificates and Permit dated May 20, 2009 in Case No. PU-09-136 and is subject to the conditions and limitations noted in those Orders.

Bismarck, North Dakota, May 20, 2009.

ATTEST: ***PUBLIC SERVICE COMMISSION***

Executive Secretary ***Commissioner***

STATE OF NORTH DAKOTA

First Reissued
Route Permit No. 116

This is to certify that the Commission has designated a transmission facility route for Otter Tail Corporation for approximately 13 miles of 230 kV, 3-phase, alternating current transmission line and associated facilities in Barnes and Steele Counties of North Dakota.

This certificate is issued in accordance with the Findings of Fact, Conclusions of Law and Order of this Commission dated October 30, 2008 in Case No. PU-08-107 and the Order Reissuing Certificates and Permit dated May 20, 2009 in Case No. PU-09-136 and is subject to the conditions and limitations noted in those Orders.

Bismarck, North Dakota, May 20, 2009.

ATTEST: ***PUBLIC SERVICE COMMISSION***

Executive Secretary ***Commissioner***