



# Public Service Commission

## State of North Dakota

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### COMMISSIONERS

Kevin Cramer  
Tony Clark  
Brian P. Kalk

Executive Secretary  
Darrell Nitschke

Mr. Allen C. Hoberg  
Office of Administrative Hearings  
1707 North 9<sup>th</sup> Street, Lower Level  
Bismarck, ND 58501

28 April 2011

600 E. Boulevard Ave. Dept 408  
Bismarck, North Dakota 58505-0480  
Web: [www.nd.gov/psc](http://www.nd.gov/psc)  
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Phone 701-328-2400  
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Re: Otter Tail Power Company  
Advance Determination of Prudence-CapX2020 Group 1  
Application  
Case No. PU-09-676

Northern States Power Company  
Advance Determination of Prudence-CapX2020 Group 1  
Application  
Case No. PU-09-678

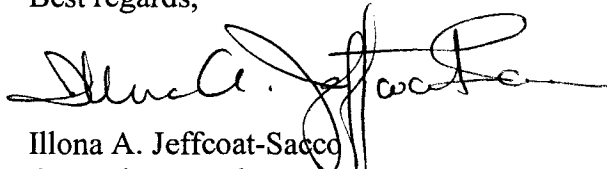
Dear Mr. Hoberg:

Enclosed is a request for an Administrative Law Judge in the captioned cases. Al Wahl was the previously assigned ALJ and we ask that he be the designated ALJ once again. The previous OAH file number was 2009-0412 (Otter Tail) and file number 2009-0413 (NSP). Although no hearing has been scheduled, we understand that the applicants plan to file the Brookings Line supplemental information soon.

The Administrative Law Judge will serve as a procedural law judge and the hearing will be electronically recorded.

If you have any questions, please contact me. Thank you.

Best regards,



Illona A. Jeffcoat-Sacco  
General Counsel

enclosures  
c: w/encl.

Lawrence Bender, Mark Bring  
Zeviel Simpser, Michael Krikava  
Keith L Beall, Mitch Armstrong

- 83 PU-09-678 Filed 04/28/2011 Pages: 3  
Request for an Administrative Law Judge  
Public Service Commission
- 84 PU-09-676 Filed 04/28/2011 Pages: 3  
Request for an Administrative Law Judge  
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**REQUEST FOR ADMINISTRATIVE LAW JUDGE--APPEAL, APPLICATION, OR PETITION**  
 NORTH DAKOTA OFFICE OF ADMINISTRATIVE HEARINGS  
 SFN 17819 (Rev. 03-2001)

Name of Agency, Board, or Commission  
 North Dakota Public Service Commission

The above named agency, board, or commission requests designation of an administrative law judge from the Office of Administrative Hearings for the Otter Tail Power Company, Advance Determination of Prudence, Application - Case No. PU-09-676 & Northern States Power Company, Advance Determination of Prudence, Application - Case No. PU-09-678

(e.g., application of [name], appeal of [name], petition of [name]). Authority for the administrative action is found in North Dakota Century Code Section 49-05-16 (North Dakota Century Code and/or North Dakota Administrative Code).

Please attach related documents and correspondence.

The administrative action is more fully described as follows:  
 Xcel Energy applied for an Advance Determination of Prudence for the CapX2020 Group 1 Transmission Projects, simultaneously with Otter Tail Power Company, for the construction of four high-voltage transmission line projects.

It requests designation of an administrative law judge (please check one):

- To conduct the hearing and issue recommended findings of fact, conclusions of law, and order.
- To serve as a procedural administrative law judge only (no recommended decision). The agency head will be present at the hearing as required by NDCC 54-57-04(6).
- To conduct the hearing, issue findings of fact, conclusions of law, and a final order.

**PLEASE MAKE A REQUEST FOR AN ADMINISTRATIVE LAW JUDGE AT LEAST ONE MONTH BEFORE THE HEARING.**

Please list parties, including the agency if it is a Party, and Representation [attorney (or other)] if known, or Agency Contact: (Attach separate list if necessary.)

AGENCY See Attached	Address	Telephone Number
Representation	Address	Telephone Number
PARTY	Address	Telephone Number
Representation	Address	Telephone Number
PARTY	Address	Telephone Number
Representation	Address	Telephone Number

Additional Comments  
 Currently we do not have a hearing day for these cases but when the Notice of Hearing is issued we will forward that to you.

(For agencies required to use OAH, notice of hearing will be issued by the administrative law judge, unless a procedural administrative law judge is requested. Other requesting agencies and agencies requesting a procedural administrative law judge should first contact OAH about scheduling a hearing. If notice has already been issued, attach a copy of the notice.)

Typed or Printed Name and Title of Requesting Person Illona A. Jeffcoat-Sacco, General Counsel	Date 26 April 2011
Signature of Requesting Person <i>x Illona A. Jeffcoat-Sacco</i>	Telephone Number 701-328-2407

Attachment  
 Request for ALJ  
 28 April 2011

**Otter Tail Power Company**  
**ADP-CapX2020 Group 1**  
**Application**  
**Case No. PU-09-676**

**Northern States Power Company**  
**ADP-CapX2020 Group 1**  
**Application**  
**Case No. PU-09-678**

<b>AGENCY</b>	<b>Address</b>	<b>Telephone Number</b>
North Dakota Public Service Commission	600 E. Blvd. Ave. Dept. 408 Bismarck, ND 58505-0480	701-328-2400
<b>Representation</b> Illona Jeffcoat-Sacco PSC Advocacy Staff	<b>Address</b> Same as above	<b>Telephone Number</b> 701-328-2407 701-328-2421
Mitch Armstrong Commission Advisory Staff	Smith Bakke Porsborg Schweigert & Armstrong 122 E. Broadway Ave. Bismarck, ND 58501	701- 258-0630
<b>PARTY</b> Northern States Power Company	<b>Address</b> 2302 Great Northern Drive Fargo, North Dakota 58102	<b>Telephone Number</b> 701- 241-8632
<b>Representation</b> Lawrence Bender Fredrikson and Byron, P.A.	<b>Address</b> 200 North Third Street Suite 150 Bismarck, North Dakota 58501-3879	<b>Telephone Number</b> 701- 221-4020
Michael Krikava Zeviel Simpser	Briggs and Morgan, P.A. 80 South Eighth Street Minneapolis, MN 55402	612- 977-8865
<b>PARTY</b> Otter Tail Power Company	<b>Address</b> PO Box 496 Fergus Falls, Minnesota 56538-0496	<b>Telephone Number</b> 218-739-8200
<b>Representation</b> Mark Bring Associate General Counsel Otter Tail Corporation	<b>Address</b> P.O. Box 9156 Fargo, ND 58106-9156	<b>Telephone Number</b> 218- 998-7152
<b>PARTY</b> Midwest Independent System Operator	<b>Address</b> 215 South Cascade Street PO Box 496 Fergus Falls, Minnesota 56538-0496	<b>Telephone Number</b> 218-739-8200
<b>Representation</b> Keith Beall, Senior Corp. Counsel	<b>Address</b> Midwest ISO Legal Dept. P.O. Box 4202 Carmel, IN 46082	<b>Telephone Number</b> 317- 249-5400