



2200 IDS Center
80 South 8th Street
Minneapolis MN 55402-2157
tel 612.977.8400
fax 612.977.8650

July 21, 2011

Darrell Nitschke
Executive Secretary
North Dakota Public Service Commission
Department 408
600 East Boulevard Avenue
Bismarck, ND 58505-0480

RECEIVED

Zeviel Simpser
(612) 977-8865
zsimpser@briggs.com

JUL 22 2011

PUBLIC SERVICE COMMISSION

**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. Nitschke:

Enclosed for filing, please find an original and seven copies of the motion of Mr. Zeviel Simpser for the admittance of Mr. Matthew Dorsett, *pro hac vice*, to practice before the Commission in the above referenced matters. Mr. Dorsett is replacing Mr. Keith Beall as attorney for Commission invited Intervenor, Midwest Independent Transmission System Operator, Inc. ("MISO") in the above referenced proceedings. For logistical reasons, an original and seven copies of Mr. Dorsett's affidavit, as required by Rule 3 of the North Dakota Rules of Practice and Procedure, will be mailed to the Commission under separate cover.

A copy of the enclosed motion, Mr. Dorsett's affidavit, and a check in the amount of \$380 have been sent to the North Dakota Board of Law examiners on a date even herewith.

Please feel free to contact me with any questions or concerns.

Sincerely,

BRIGGS AND MORGAN, P.A.

Zeviel Simpser

ZS/ts
Enclosures

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

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

MOTION FOR ADMISSION PRO HAC VICE

Zeviel Simpser, with the firm of Briggs and Morgan, P.A., 2200 IDS Center, 80 South 8th Street, Minneapolis, MN 55402, hereby moves the North Dakota Public Service Commission, pursuant to Rule 3 of the North Dakota Rules of Admission to Practice for an Order granting the admission of Matthew R. Dorsett permission to appear *pro hac vice* in the above-captioned matters. Grounds for this motion are as follows:

1. Matthew R. Dorsett is an Attorney at the Midwest Independent Transmission System Operator, Inc., (MISO) P.O. Box 4202, Carmel, IN, 46082-4202, and is in-house counsel for the Commission invited Intervenor, MISO. Mr. Dorsett is best positioned to represent the MISO, with the Commission's permission *pro hac vice* in the above referenced cases.
2. Matthew R. Dorsett is admitted to practice law in the state of Indiana and is a member in good standing of said bar. Attached herewith as Exhibit A is Matthew R. Dorsett's affidavit as required by Rule 3 of the North Dakota Rules of Admission to Practice.
3. Matthew R. Dorsett is not presently and has never been subject to a public disciplinary proceeding.
4. Matthew R. Dorsett is not under any restriction or probation in the practice of law in any jurisdiction in which he is licensed.
5. Matthew R. Dorsett is not and has never been suspended or disbarred from a court in any jurisdiction.

6. Matthew R. Dorsett has not appeared in any North Dakota state court proceeding during the last three years and has never registered under Rule 3 of the North Dakota Rules of Admission to Practice.

7. Matthew R. Dorsett has concurrently filed a copy of this motion and affidavit with the State Board of Law Examiners on a date even herewith.

8. Matthew R. Dorsett will remit to the State Board of Law Examiners the fee required for an attorney who has been licensed in North Dakota for five years or more.

9. Matthew R. Dorsett will designate Zeviel Simpser, with the firm of Briggs and Morgan, P.A., 2200 IDS Center, 80 South 8th Street, Minneapolis, MN 55402, as an associate attorney admitted and licensed to practice law in the State of North Dakota.

10. Pursuant to Rule 3 of the North Dakota Rules of Admission to Practice, I respectfully request the Commission issue an Order granting permission for Matthew R. Dorsett to practice before the Commission *pro hac vice*.

Respectfully submitted this 21st day of July, 2011.

BRIGGS AND MORGAN, P.A.

By: 

Zeviel Simpser, North Dakota Bar 06794
Briggs and Morgan, P.A.
2200 IDS Center
80 South 8th Street
Minneapolis, MN 55402

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

AFFIDAVIT OF SERVICE

STATE OF MINNESOTA)
) SS
COUNTY OF HENNEPIN)

Theresa Senart, certifies that on the 21st day of July, 2011 she caused to be served **Motion for Pro Hac Vice for Admittance of Mr. Matthew Dorsett** in the above entitled dockets upon the following:

Matthew Loftus
Assistant General Counsel
Xcel Energy
5th Floor
414 Nicollet Mall
Minneapolis, MN 55401

Mitchell D. Armstrong
Smith Bakke Porsborg Schweigert Armstrong
122 East Broadway
P.O. Box 460
Bismarck, ND 58502-0460

Illona Jeffcoat-Sacco
North Dakota Public Service Commission
Department 408
600 East Boulevard Avenue
Bismarck, ND 58505-0480

Jerry Lein
North Dakota Public Service Commission
Department 408
600 East Boulevard Avenue
Bismarck, ND 58505-0480

Matthew R. Dorsett
Midwest ISO
PO Box 4202
Carmel, IN 46082-4202

Jennifer O. Smestad
Associate General Counsel
Otter Tail Corp.
PO Box 496
125 South Cascade Street
Fergus Falls, MN 56537

Michael Diller
North Dakota Public Service Commission
Department 408
600 East Boulevard Avenue
Bismarck, ND 58505-0480

(which are the last known addresses of said parties) via mail by placing true and correct copies of the same addressed as above in the United States Mail.

Theresa Senart
Theresa Senart

Subscribed and sworn to before

me this 21st day of July 2011.

Diane Bailey Andersen
Notary Public

