



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

RECEIVED

September 18, 2009

Zeviel Simpser  
612.977.8865  
zsimpser@briggs.com

State Board of Law Examiners  
1st Floor, Judicial Wing  
600 E Boulevard Avenue  
Bismarck, ND 58505-0530

SEP 22 2009

PUBLIC SERVICE COMMISSION

**Re: Motion for Admission Pro Hac Vice  
In the Matter of the Application for an Advance Determination of Prudence  
for the CapX2020 Group 1 Transmission Projects**

**Northern States Power Company, a Minnesota corporation**  
Case No. PU- 09-678

**Otter Tail Power Company**  
Case No. PU- 09-674

Dear Sir or Madam:

The enclosed motion and affidavits have been filed with the North Dakota Public Service Commission on the date even herewith. Pursuant to Rule 3 of the North Dakota Rules of Admission to Practice, movants for admission Pro Hac Vice enclose for filing the following:

1. Motion for Admission Pro Hac Vice;
2. Affidavit of Priti R. Patel;
3. Affidavit of Michael C. Krikava; and
4. Affidavit of Zeviel T. Simpser.

Please also find three checks in the amount of \$380.00 each for the cost of the filing fees for each said attorney list above. Contact me with any questions or concerns. Thank you.

Sincerely,

BRIGGS AND MORGAN, P.A.

Zeviel Simpser

ZS/rlh

Enclosures

cc: North Dakota Public Service Commission

3 **PU-09-676** Filed: 9/22/2009 Pages: 11  
Motion for Admission Pro Hac Vice & Affidavits of  
Priti R. Patel, Michael C. Krikava, Zeviel T. Simpser

24

Northern States Power Company / Otter Tail Power Company  
Zeviel Simpser, Atty. Briggs&Morgan, PA

2 **PU-09-678** Filed: 9/22/2009 Pages: 11  
Motion for Admission Pro Hac Vice & Affidavits of  
Priti R. Patel, Michael C. Krikava, Zeviel T. Simpser

Northern States Power Company / Otter Tail Power Company  
Zeviel Simpser, Atty. Briggs&Morgan, PA

**STATE OF NORTH DAKOTA  
BEFORE THE  
NORTH DAKOTA PUBLIC SERVICE COMMISSION**

NORTHERN STATES POWER COMPANY,  
A MINNESOTA CORPORATION

CASE No. PU-\_\_\_\_\_

OTTER TAIL POWER COMPANY

CASE No. PU-\_\_\_\_\_

IN THE MATTER OF THE APPLICATION FOR  
AN ADVANCE DETERMINATION OF  
PRUDENCE FOR THE CAPX2020  
GROUP 1 TRANSMISSION PROJECTS

**MOTION FOR ADMISSION PRO HAC VICE**

Lawrence Bender, one of the attorneys for Northern States Power Company, a Minnesota corporation (“Xcel Energy”), one of the applicants herein, 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 Priti R. Patel, Michael C. Krikava and Zeviel T. Simpser permission to appear *pro hac vice* in the above-captioned matters. Grounds for this motion are as follows:

1. Priti R. Patel is Assistant General Counsel for Xcel Energy Services Inc., 414 Nicollet Mall, Minneapolis, Minnesota 55401, the affiliated service company for Xcel Energy.
2. Priti R. Patel is admitted to practice law in the state of Minnesota and is a member in good standing of said bar. Attached herewith as Exhibit A is Priti R. Patel’s affidavit as required by Rule 3 of the North Dakota Rules of Admission to Practice.
3. Priti R. Patel is not presently and has never been subject to a public disciplinary proceeding.
4. Priti R. Patel is not under any restriction or probation in the practice of law in any jurisdiction in which he is licensed.
5. Priti R. Patel is not and has never been suspended or disbarred from a court in any jurisdiction.

6. Priti R. Patel 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. Priti R. Patel has filed a copy of this motion and affidavit with the State Board of Law Examiners on a date even herewith.

8. Priti R. Patel 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. Priti R. Patel will designate Lawrence Bender of the firm Fredrikson and Byron, 200 North Third Street, Suite 150, Bismarck, North Dakota 58501-3879, as an associate attorney admitted and licensed to practice law in the State of North Dakota.

10. Michael C. Krikava is a shareholder in the firm of Briggs and Morgan, P.A., Suite 2200, 80 South 8<sup>th</sup> Street, Minneapolis, Minnesota, 55402, which has been retained by Applicants Xcel Energy and Otter Tail to represent them in the above referenced cases.

11. Michael C. Krikava is admitted to practice law in the states of Minnesota, Wisconsin and Colorado and is a member in good standing of said bars. Attached herewith as Exhibit B is Michael C. Krikava's affidavit as required by Rule 3 of the North Dakota Rules of Admission to Practice.

12. Michael C. Krikava is not presently and has never been subject to a public disciplinary proceeding.

13. Michael C. Krikava is not under any restriction or probation in the practice of law in any jurisdiction in which he is licensed.

14. Michael C. Krikava is not and has never been suspended or disbarred from a court in any jurisdiction.

15. Michael C. Krikava 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..

16. Michael C. Krikava has filed a copy of this motion and affidavit with the State Board of Law Examiners on a date even herewith.

17. Michael C. Krikava 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.

18. Michael C. Krikava will designate Lawrence Bender of the firm Fredrikson and Byron, 200 North Third Street, Suite 150, Bismarck, North Dakota 58501-3879, as an associate attorney admitted and licensed to practice law in the State of North Dakota.

19. Zeviel T. Simpser is an associate attorney in the firm of Briggs and Morgan, P.A., Suite 2200, 80 South 8<sup>th</sup> Street, Minneapolis, Minnesota, 55402, which has been retained by Applicants Xcel Energy and Otter Tail to represent them in the above referenced cases.

20. Zeviel T. Simpser is admitted to practice law in the state of Minnesota and is a member in good standing of the Minnesota bar. Attached herewith as Exhibit C is Zeviel T. Simpser's affidavit as required by Rule 3 of the North Dakota Rules of Admission to Practice.

21. Zeviel T. Simpser is not presently and has never been subject to a public disciplinary proceeding.

22. Zeviel T. Simpser is not under any restriction or probation in the practice of law in any jurisdiction in which he is licensed.

23. Zeviel T. Simpser is not and has never been suspended or disbarred from a court in any jurisdiction.

24. Zeviel T. Simpser 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.

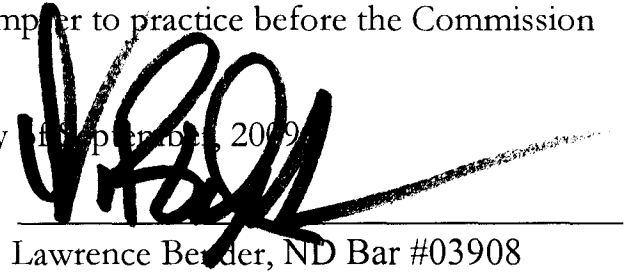
25. Zeviel T. Simpser has filed a copy of this motion and affidavit with the State Board of Law Examiners on a date even herewith.

26. Zeviel T. Simpser 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.

27. Zeviel T. Simpser will designate Lawrence Bender of the firm Fredrikson and Byron, 200 North Third Street, Suite 150, Bismarck, North Dakota 58501-3879, as an associate attorney admitted and licensed to practice law in the State of North Dakota.

28. Pursuant to Rule 3 of the North Dakota Rules of Admission to Practice, I respectfully request the Commission issue an Order granting permission for Priti R. Patel, Michael C. Krikava and Zeviel T. Simper to practice before the Commission *pro hac vice*.

Respectfully submitted this 11th day of September, 2009.



Lawrence Bender, ND Bar #03908  
Attorney  
Fredrikson & Byron, P.A.  
Suite 150  
200 North Third Street  
Bismarck, ND 58501

COUNSEL FOR NORTHERN STATES  
POWER COMPANY

4617615\_2.DOC

**STATE OF NORTH DAKOTA  
BEFORE THE  
NORTH DAKOTA PUBLIC SERVICE COMMISSION**

NORTHERN STATES POWER COMPANY,  
A MINNESOTA CORPORATION

CASE No. PU-\_\_\_\_\_

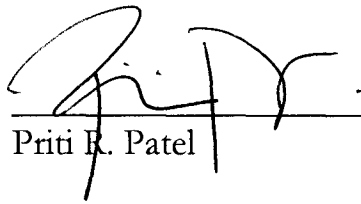
IN THE MATTER OF THE APPLICATION FOR  
AN ADVANCE DETERMINATION OF  
PRUDENCE FOR THE CAPX2020  
GROUP 1 TRANSMISSION PROJECTS

**AFFIDAVIT OF PRITI R. PATEL**

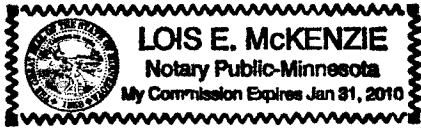
PRITI R. PATEL being first duly sworn on oath, deposes and says that:

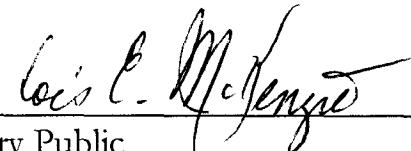
- 1) I am admitted to practice law in the State of Minnesota.
- 2) I have been admitted to practice law in the State of Minnesota for nearly 17 years.
- 3) I am not presently subject to a disciplinary proceeding in any jurisdiction.
- 4) I am not under any restriction or probation in the practice of law in any jurisdiction in which I am licensed.
- 5) I am not now, nor have I ever been suspended or disbarred from a court in any jurisdiction.
- 6) In the prior three years, I have not appeared in any North Dakota actions nor have I registered under North Dakota Supreme Court Rule 3.

**[SIGNATURE PAGE FOLLOWS]**

  
Priti R. Patel

Subscribed and sworn to before me this 17<sup>th</sup> day of September, 2009.



  
Notary Public  
My Commission Expires: 1-31-2010

**STATE OF NORTH DAKOTA  
BEFORE THE  
NORTH DAKOTA PUBLIC SERVICE COMMISSION**

NORTHERN STATES POWER COMPANY,  
A MINNESOTA CORPORATION

CASE No. PU-\_\_\_\_\_

OTTER TAIL POWER COMPANY

CASE No. PU-\_\_\_\_\_

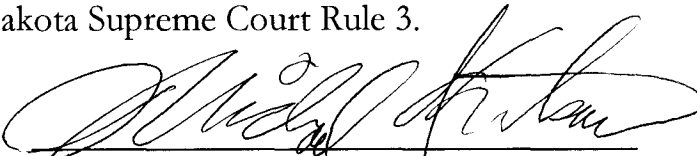
IN THE MATTER OF THE APPLICATION FOR  
AN ADVANCE DETERMINATION OF  
PRUDENCE FOR THE CAPX2020  
GROUP 1 TRANSMISSION PROJECTS

**AFFIDAVIT OF MICHAEL C. KRIKAVA**

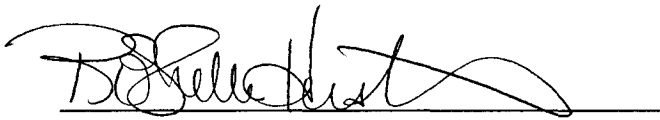
MICHAEL C. KRIKAVA being first duly sworn on oath, deposes and says that:

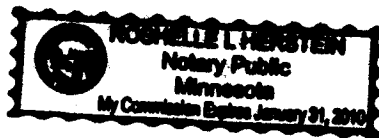
- 1) I am admitted to practice law in the State of Minnesota.
- 2) I have been admitted to practice law in the State of Minnesota for approximately 22 years.
- 3) I am admitted to practice law in the State of Wisconsin.
- 4) I have been admitted to practice law in the State of Wisconsin for approximately six years.
- 5) I am admitted to practice law in the State of Colorado.
- 6) I have been admitted to practice law in the State of Colorado for approximately seven years.
- 7) I am not presently subject to a disciplinary proceeding in any jurisdiction.
- 8) I am not under any restriction or probation in the practice of law in any jurisdiction in which I am licensed.
- 9) I am not now, nor have I ever been suspended or disbarred from a court in any jurisdiction.

- 10) In the prior three years, I have appeared in no North Dakota actions and I have not registered under North Dakota Supreme Court Rule 3.

  
Michael C. Krikava

Subscribed and sworn to before me this 10<sup>th</sup> day of September, 2009.

  
Notary Public  
My Commission Expires: 1/31/2010



**STATE OF NORTH DAKOTA  
BEFORE THE  
NORTH DAKOTA PUBLIC SERVICE COMMISSION**

NORTHERN STATES POWER COMPANY,  
A MINNESOTA CORPORATION

CASE No. PU-\_\_\_\_\_

OTTER TAIL POWER COMPANY

CASE No. PU-\_\_\_\_\_

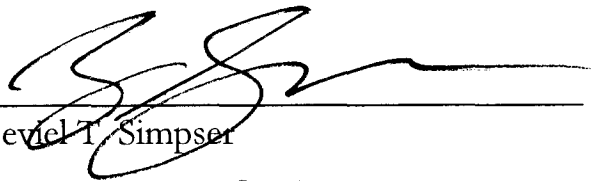
IN THE MATTER OF THE APPLICATION FOR  
AN ADVANCE DETERMINATION OF  
PRUDENCE FOR THE CAPX2020  
GROUP 1 TRANSMISSION PROJECTS

**AFFIDAVIT OF ZEVIEL T. SIMPSE**

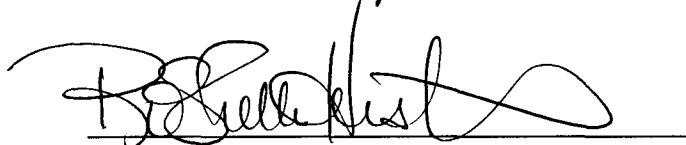
ZEVIEL T. SIMPSE being first duly sworn on oath, deposes and says that:

- 1) I am admitted to practice law in the State of Minnesota.
- 2) I have been admitted to practice law in the State of Minnesota for approximately two years.
- 3) I am not presently subject to a disciplinary proceeding in any jurisdiction.
- 4) I am not under any restriction or probation in the practice of law in any jurisdiction in which I am licensed.
- 5) I am not now, nor have I ever been suspended or disbarred from a court in any jurisdiction.
- 6) In the prior three years, I have appeared in no North Dakota actions and I have not registered under North Dakota Supreme Court Rule 3.

**[SIGNATURE PAGE FOLLOWS]**

  
Zeviel T. Simpson

Subscribed and sworn to before me this 10 day of September, 2009.

  
Notary Public  
My Commission Expires: 1/31/2010

