



Public Service Commission
State of North Dakota

COMMISSIONERS

Kevin Cramer
Tony Clark
Brian P. Kalk

Executive Secretary
Darrell Nitschke

Al Wahl
Administrative Law Judge
138 East Edmonton Drive
Bismarck, ND 58503

25 March 2010

600 E. Boulevard Ave. Dept 408
Bismarck, North Dakota 58505-0480
Web: www.nd.gov/psc
E-mail: ndpsc@nd.gov
Phone 701-328-2400
Toll Free 1-877-245-6685
Fax 701-328-2410
TDD 800-366-6888 or 711

Re: Otter Tail Power and Northern States Power Cap X Proceedings
OAH File #20090412 and File #20090413
PSC Case No. PU-09-676 and Case No. PU-09-678

Dear Judge Wahl:

Some time ago, at the administrative matters portion of a Commission meeting, the Commission considered the question of whether Pro Hac Vice motions should be handled by the designated ALJ. The Commission agreed that this process should be implemented.


By this letter, with a copy to Al Hoberg, I am notifying the Office of Administrative Hearings that the Commission requests the designated ALJ in a Commission proceeding to handle attorney admission requests.

I inadvertently failed to notify you of this change to our process at the time of the Commission discussion. I apologize for this oversight.

Enclosed is a Motion for Admission Pro Hac Vice in the captioned cases, with a copy of the applicants' cover letter to the State Board of Law Examiners and affidavits. Please rule on the request at your earliest convenience.

Thank you. If you have any questions, please do not hesitate to call or write.

Best regards,


Illona A. Jeffcoat-Sacco
General Counsel

enclosure
c: Al Hoberg w/o enclosure



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

RECEIVED

September 18, 2009

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

SEP 22 2009

PUBLIC SERVICE COMMISSION

Zeviel Simpser
612.977.8865
zsimpser@briggs.com

**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/rjh

Enclosures

cc: North Dakota Public Service Commission

3 PU-09-676 Filed 09/22/2009 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

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 8th 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. Simpson is an associate attorney in the firm of Briggs and Morgan, P.A., Suite 2200, 80 South 8th 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. Simpson 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. Simpson's affidavit as required by Rule 3 of the North Dakota Rules of Admission to Practice.

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

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

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

24. Zeviel T. Simpson 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.

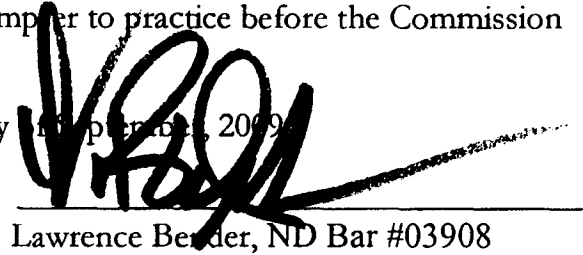
25. Zeviel T. Simpson has filed a copy of this motion and affidavit with the State Board of Law Examiners on a date even herewith.

26. Zeviel T. Simpson 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. Simpson 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-_____

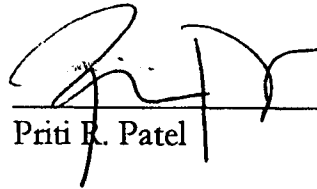
IN THE MATTER OF THE APPLICATION FOR
AN ADVANCE DETERMINATION OF
PRUDENCE FOR THE CAPX2020
GROUP 1 TRANSMISSION PROJECTS

AFFIDAVIT OF PRITI R. PATEL

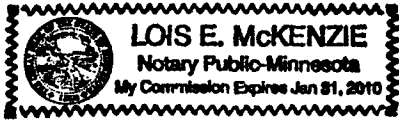
PRITI R. PATEL being first duly sworn on oath, deposes and says that:

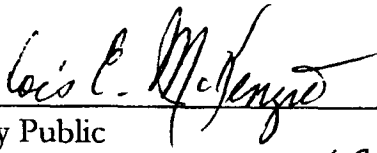
- 1) I am admitted to practice law in the State of Minnesota.
- 2) I have been admitted to practice law in the State of Minnesota for nearly 17 years.
- 3) I am not presently subject to a disciplinary proceeding in any jurisdiction.
- 4) I am not under any restriction or probation in the practice of 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 17th 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-_____

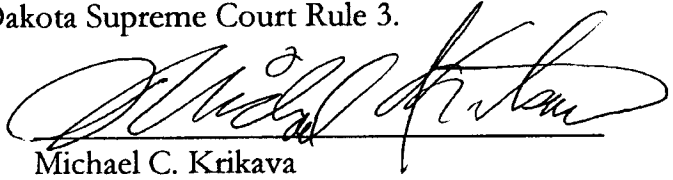
IN THE MATTER OF THE APPLICATION FOR
AN ADVANCE DETERMINATION OF
PRUDENCE FOR THE CAPX2020
GROUP 1 TRANSMISSION PROJECTS

AFFIDAVIT OF MICHAEL C. KRIKAVA


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

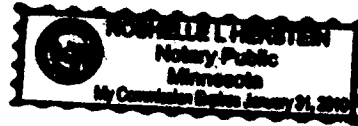
- 1) I am admitted to practice law in the State of Minnesota.
- 2) I have been admitted to practice law in the State of Minnesota for approximately 22 years.
- 3) I am admitted to practice law in the State of Wisconsin.
- 4) I have been admitted to practice law in the State of Wisconsin for approximately 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 10th 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:

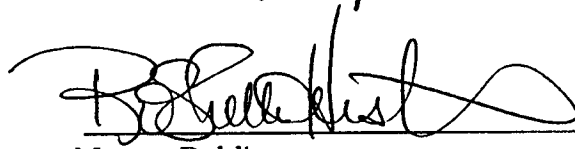
- 1) I am admitted to practice law in the State of Minnesota.
- 2) I have been admitted to practice law in the State of Minnesota for approximately two years.
- 3) I am not presently subject to a disciplinary proceeding in any jurisdiction.
- 4) I am not under any restriction or probation in the practice 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. Simpser

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



Notary Public
My Commission Expires: 1/31/2010

