



Public Service Commission

State of North Dakota

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26 August 2011

Mr. Allen C. Hoberg
Office of Administrative Hearings
2911 North 14th Street – Suite 303
Bismarck, ND 58503

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

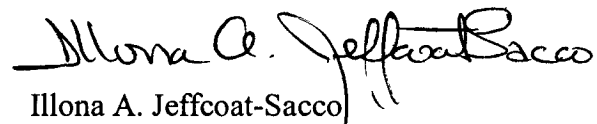
Dear Mr. Hoberg:

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 2011-0180 (Otter Tail) and file number 2011-0181 (NSP). The hearing date has been tentatively scheduled to begin at 1:30 p.m., CST, 26 October 2011. When a Notice of Hearing is issued we will forward that to your office.

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
Matthew Dorsett, Mitch Armstrong



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:
 After the 7/25/2011 hearing on continued prudence for the Brookings Project, Advocacy Staff and the Applicants filed a settlement. This requires a hearing.

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
 The hearing date has been tentatively scheduled to begin at 1:30 p.m., CST, 26 October 2011. When a Notice of Hearing is issued we will forward that to your office.

(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 Ilona A. Jeffcoat-Sacco, General Counsel	Date 29 August 2011
Signature of Requesting Person x <i>Ilona A. Jeffcoat Sacco</i>	Telephone Number 701-328-2407

Attachment
 Request for ALJ
 26 August 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

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