

Fahn, Patrick J.

From: bgerhardson@otpc.com
Sent: Thursday, July 22, 2010 4:34 PM
To: RSavelkoul@felhaber.com; Fahn, Patrick J.
Cc: PBeithon@otpc.com; bernadeenb@gmail.com; TBrause@otpc.com;
Larry@LLSResources.com; kmaini@wi.rr.com
Subject: RE: Draft Proposed Order Case No. PU-10-18

Follow Up Flag: Follow up
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I can agree with Rich's changes, with the following explanations.

The first sentence in the first paragraph in the Commission Findings Section is just a finding as to the location of the project. Therefore I don't think anything has to be added there (where you added "is . . .").

The second paragraph in the Commission findings section includes some information from prior commission Renewable Rider Orders. For example, the 10% savings comes from the first Order approving the Rider. I don't have a problem removing that sentence from this paragraph as I agree it is out of context here. The paragraph (as you have edited) provides a helpful explanation of how the Rider and FCA work together, as discussed at the hearing and in each of the previous Rider cases.

Otherwise, I believe I understand and can accept all your remaining changes.

Rich, I should also explain that Pat and I discussed that there may be more than is required in several sections of the Order (I guess I got a little wordy), but we agreed that it will be easier to remove unnecessary sections later to the extent necessary, so we haven't removed any of them at this point.

Pat, let me know if I should make Rich's changes and give you an updated draft.

BRUCE GERHARDSON

Associate General Counsel

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From: Richard J. Savelkoul [mailto:RSavelkoul@felhaber.com]
Sent: Thursday, July 22, 2010 3:53 PM
To: Richard J. Savelkoul; Gerhardson, Bruce; Fahn, Pat
Cc: Beithon, Pete; bernadeenb@gmail.com; Brause, Tom; Larry Schedin; kmaini@wi.rr.com
Subject: RE: Draft Proposed Order Case No. PU-10-18

oops - attached

Richard J. Savelkoul

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44 **PU-10-18** Filed: 7/22/2010 Pages: 3
**Reply comments on ND Large Industrial Groups
revisions to revised draft Order**

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From: Richard J. Savelkoul
Sent: Thursday, July 22, 2010 3:50 PM
To: 'bgerhardson@otpc.com'; PFahn@nd.gov
Cc: PBeithon@otpc.com; bernadeenb@gmail.com; TBrause@otpc.com; 'Larry Schedin'; kmaini@wi.rr.com
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Please see the attached. Some I did not understand and some I did not think was supported by our record in this case, so changed it to what I thought would work.

Thanks,
Rich

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From: bgerhardson@otpc.com [mailto:bgerhardson@otpc.com]
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Pat and Rich:

The attached is a revised draft Proposed Order for the Renewable Rider Case (PU-10-18).

The revisions reflect some additions Pat and I discussed earlier today. For your convenience I have also attached a redline version reflecting the changes so that you can do a comparison to the draft I sent this morning.

Let me know if you have additional questions or comments.

Bruce

From: Gerhardson, Bruce
Sent: Thursday, July 22, 2010 8:40 AM
To: 'pfahn@nd.gov'

Cc: 'rsavelkoul@felhaber.com'

Subject: Draft Proposed Order Case No. PU-10-18

Pat:

As we discussed, I am sending you a draft proposed Order for the 2010 Renewable Rider RRA Factor update case.

I am also copying Rich Savelkoul, counsel for the intervenors for any comments he may have.

BRUCE GERHARDSON

Associate General Counsel

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