

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

Northern States Power Company  
Aggregators of Retail Customers  
Investigation

Case No. PU-10-59

AFFIDAVIT OF SERVICE BY ELECTRONIC MAIL

STATE OF NORTH DAKOTA  
COUNTY OF BURLEIGH

Shelly A. Bauske deposes and says that:

she is over the age of 18 years and not a party to this action and, on the 13<sup>th</sup> day of May, 2010, she electronically mailed to 19 recipients, an electronic copy of:

**Notice of Opportunity for Hearing**

The electronic mails were addressed as follows:

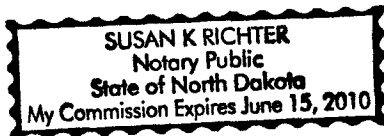
***See Attached List***

Each address shown is the respective addressee's last reasonably ascertainable electronic mailing address.

Subscribed and sworn to before me  
this 17<sup>th</sup> day of May, 2010.

*Shelly A Bauske*  
\_\_\_\_\_  
*Susan K Richter*  
\_\_\_\_\_  
Notary Public

SEAL



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**NOTICE OF OPPORTUNITY FOR HEARING  
May 12, 2010**

On March 1, 2010, Northern States Power Company (NSP) filed comments and a request for action prohibiting the operation of Aggregators of Retail Customers (ARCs). ARCs would aggregate retail customer load reductions and sell the resulting energy in the Midwest Independent System Operator (Midwest ISO) wholesale energy market.

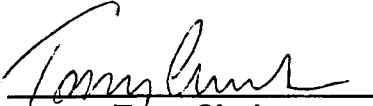
NSP states that a Midwest ISO federal tariff filed to comply with Federal Energy Regulatory Commission Order 719 would authorize ARCs to begin operating as soon as June 1, 2010, unless the Public Service Commission takes action to prohibit ARC operations. NSP contends that operation of ARCs may negatively impact customer rates, system reliability and existing demand response programs.

Those interested are invited to comment in writing. Persons desiring a hearing must file a written request identifying their interest in the proceeding and the reasons for requesting a hearing. Comments and requests for hearings must be received by **June 22, 2010**. If deemed appropriate, the Commission can determine these matters without a hearing. The issues to be determined in this proceeding are:

1. Whether ARC operations constitute resale of electricity by retail customers prohibited under North Dakota Administrative Code Section 69-09-02-15 unless the rate schedule under which the customer receives service specifically provides for resale?
2. Whether the Commission should prohibit or regulate the operation of ARCs and if operation should be regulated then how and to what extent?

For more information contact the Public Service Commission, State Capitol, Bismarck, North Dakota 58505, 701-328-2400 or Relay North Dakota 1-800-366-6888 TTY. If you require any auxiliary aids or services, such as readers, signers, or Braille materials, please notify the Commission.

**PUBLIC SERVICE COMMISSION**

  
**Tony Clark**  
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