

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

RECEIVED

NOV 08 2010

PUBLIC SERVICE COMMISSION

Montana-Dakota Utilities Co.,
a Division of MDU Resources Group, Inc.
Electric Rate Increase Application

Case No. PU-10-124

ORDER GRANTING PETITION TO PRACTICE BEFORE COMMISSION

Scott Skokos has petitioned the North Dakota Public Service Commission pursuant to N.D. Admin. Code § 69-02-01-06(3), first upon a petition and amended petition dated November 1, 2010, and last upon a second amended petition dated November 5, 2010. No return to his petition has been made by the applicant, commission advocacy staff, any intervenor, or counsel to the commission.

Considering his petition, it appears that Scott Skokos possesses the necessary legal or technical qualifications by his education and recent professional experience to enable him to render valuable assistance to the commission for the hearing of this case by facilitating the participation of Missouri Valley Resource Council (MVRC) as an intervenor in this case.

Upon the advice of counsel for MVRC at the prehearing conference had for this case, I am informed and believe that MVRC is one of a number of unincorporated associations which are local affiliates of the Dakota Resource Council, a nonprofit corporation organized and existing under the laws of the State of North Dakota. MVRC was duly granted intervention as an unincorporated association for this hearing pursuant to and in accordance with N.D. Admin. Code §69-02-02-05. *Cf. Askew v. Joachim Memorial Home*, 234 N.W.2d 226, 234 *et seq.* (N.D. 1975); *see* N.D. Admin. Code §98-02-02-05.

As an unincorporated association participating in this hearing as an intervenor, Scott Skokos's practice before the commission to facilitate the participation of MVRC in this hearing is not within the provisions of N.D.C.C. §27-11-01; specifically, the participation of MVRC as an intervenor in this hearing is

pursuant to and in accordance with the commission's rules, and is thereby "provided by law" in accordance with the exception of the statute, and, further, the commission for its proceedings in this case is, manifestly, not "a court of record in the state" within the scope of the statute.

For the foregoing reasons, it is

Ordered, that pursuant to and in accordance with the provisions of N.D. Admin. Code § 69-02-01-06(3) Scott Skokos shall be, and he hereby is, granted leave to practice before the commission for the facilitation of the participation of Missouri Valley Resource Council as intervenor in this case.

Dated November 6, 2010.

NORTH DAKOTA PUBLIC SERVICE COMMISSION

By: 
Al. Wahl, Temporary Administrative Law Judge

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Montana-Dakota Utilities Co.,
a Division of MDU Resources Group, Inc.
Electric Rate Increase Application

Case No. PU-10-124

CERTIFICATE OF SERVICE

The undersigned certifies that on November 6, 2010, complete and correct copies of the **ORDER GRANTING PETITION TO PRACTICE BEFORE COMMISSION** and this certificate of service, was provided by attachment to e-mail sent to the persons named at the respective e-mail address shown for each:

Mr. Daniel S. Kuntz
Associate General Counsel
MDU Resources Group, Inc.
dan.kuntz@mduresources.com

Mr. Richard J. Savelkoul
Felhaber Larson Fenton & Vogt, PA
Counsel for Commission Advocacy Staff
rsavelkoul@felhaber.com

Mr. Verle Reinicke, Chair
Missouri Valley Resource Council
lindaverle@bis.midco.net

Mr. Scott Skokos
Clean Energy Organizer, Dakota Resource Council
scott@drcinfo.com

Ms. Illona Jeffcoat-Sacco
General Counsel
North Dakota Public Service Commission
ijs@nd.gov

And it is further certified that on November 8, 2010, a copy of the notice and certificate of service will be delivered to Mr. James D. Roaché, at the offices of the commission, and the original notice and certificate of service will be then and there delivered to Mr. John Hamre, Administrative Assistant to the Legal Division, North Dakota Public Service Commission, for filing and docketing in the captioned case.

Dated November 6, 2010.

OFFICE OF ADMINISTRATIVE HEARINGS


Al. Wahl