



Public Service Commission

State of North Dakota

COMMISSIONERS

Kevin Cramer
Tony Clark
Brian P. Kalk

Executive Secretary
Darrell Nitschke

31 March 2011

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Bismarck, North Dakota 58505-0480
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Mr. Allen C. Hoberg
Office of Administrative Hearings
1707 North 9th Street, Lower Level
Bismarck, ND 58501

Re: Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc.
Electric Rate Increase Application
Case No. PU-10-124

Dear Mr. Hoberg:

Enclosed is a request for an Administrative Law Judge for the captioned case. Al Wahl was previously assigned to this case so if he is available again we ask that he be the designated ALJ once again. The reason for requesting an ALJ at this time is because a Settlement has been filed that requires a hearing.

A hearing will begin Thursday, 5 May 2011, at the Commission hearing room, State Capitol, 12th Floor, Bismarck, North Dakota, starting at 1:00 p.m. Central Time. A copy of the Notice of Hearing is enclosed.

On 14 March 2011, MDU filed a Settlement Agreement executed by MDU and the North Dakota Public Service Commission Advocacy Staff that, in conjunction with prior settlement agreements between Staff and MDU, resolves the issues raised by MDU's application to increase its rates for electric utility service. On 15 March 2011, Missouri Valley Resource Council, an intervenor in the case, filed a copy of the Settlement Agreement executed by M.V.R.C.

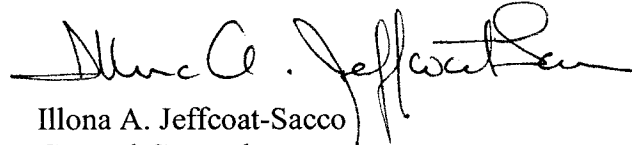
An attachment to the Settlement Agreement includes information that was not presented at the 8 November 2010 hearing. The information is identified as a comparison of the results of cost modeling for generation resource scenarios. As stated in the Notice, the Commission intends to consider this information for its consideration of the Settlement Agreement, in accordance with N.D.C.C. Section 28-32-25, subject to objections that may be raised at the hearing.

The Administrative Law Judge will serve as a procedural law judge and the hearing will be electronically recorded.

Mr. Allen C. Hoberg
Case No. PU-10-124
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If you have any questions, please contact me. Thank you.

Best regards,

A handwritten signature in black ink, appearing to read "Illona A. Jeffcoat-Sacco". The signature is fluid and cursive, with a large initial "I" and a long, sweeping underline.

Illona A. Jeffcoat-Sacco
General Counsel

enclosure

c: w/encl. Daniel Kuntz
James D. Roache
Harvey Christian
Verle Reinicke
Scott Skokos

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

**NOTICE OF HEARING AND
NOTICE OF INTENT TO CONSIDER INFORMATION NOT PRESENTED AT A HEARING**

March 24, 2011

On April 19, 2010, Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc. (MDU) filed an application to increase its rates for electric utility service to provide additional annual revenue of \$15,396,303 or a 14% increase over current rates. The proposed monthly increase for a residential customer using 750 kilowatt-hours in a month is \$7.63.

On June 16, 2010 the Commission issued a Notice of Hearing and Notice of Public Input Sessions scheduling a public hearing in this matter beginning November 8, 2010 at 8:30 a.m. CDT (7:30 a.m. MDT) in the Commission hearing room, State Capitol, 12th Floor, Bismarck, North Dakota 58505. The public input sessions and hearing were held as scheduled.

On March 14, 2011, MDU filed a Settlement Agreement executed by MDU and the North Dakota Public Service Commission Advocacy Staff (Staff) that, in conjunction with prior settlement agreements between Staff and MDU, resolves the issues raised by MDU's application to increase its rates for electric utility service. On March 15, 2011, Missouri Valley Resource Council, an intervenor in the case, filed a copy of the Settlement Agreement executed by Missouri Valley Resource Council.


An attachment to the Settlement Agreement includes information that was not presented at the hearing held beginning November 8, 2010. The information is identified as a comparison of the results of cost modeling for generation resource scenarios. The Commission intends to consider this information for its consideration of the Settlement Agreement, in accordance with N.D.C.C. Section 28-32-25, subject to objections that may be raised at the hearing. N.D.C.C. Section 28-32-25 provides parties a right to examine the information the Commission intends to consider, present their own information or evidence, and cross-examine the person furnishing the information or evidence. Any party desiring to present evidence or information in response to the information attached to the settlement agreement, or desiring to cross-examine the person furnishing that information, may do so at the hearing noticed below.

A **public hearing** for the Commission's consideration of the Settlement Agreement will be held beginning **May 5, 2011 at 1:00 p.m. CDT** in the **Commission hearing room, State Capitol, 12th Floor, Bismarck, North Dakota 58505**. The issue to be considered in this matter is whether the Settlement Agreement should be approved and adopted by the Commission for the determination of MDU's application to increase its rates for electric utility service?

For more information or a copy of the Settlement Agreement, contact the Public Service Commission, State Capitol, Bismarck, North Dakota 58505, 701-328-2400 or 877-245-6685 (toll free in North Dakota), 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 at least 24 hours in advance of the hearing.

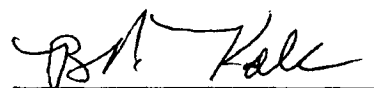
PUBLIC SERVICE COMMISSION



**Kevin Cramer
Commissioner**



**Tony Clark
Chairman**



**Brian P. Kalk
Commissioner**



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 Montana-Dakota Utilities Company's electric rate increase application - PSC Case No. PU-10-124

(e.g., application of [name], appeal of [name], petition of [name]). Authority for the administrative action is found in North Dakota Century Code Chapter 49-05 _____ (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:
 An attachment to the Settlement Agreement included information that was not presented at the 8 November 2010 hearing.

The Commission intends to consider this information for its consideration of the Settlement Agreement.

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
 A hearing will begin Thursday, 5 May 2011, at the Commission hearing room, State Capitol, 12th Floor, Bismarck,
 North Dakota, starting at 1:00 p.m. Central Time.

(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 30 March 2011
Signature of Requesting Person <i>x Ilona A. Jeffcoat-Sacco</i>	Telephone Number 701-328-2407

Attachment
Request for ALJ
31 March 2011

Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc.
Electric Rate Increase Application
Case No. PU-10-124

AGENCY	Address	Telephone Number
North Dakota Public Service Commission	600 E. Blvd. Ave. Dept. 408 Bismarck, ND 58505-0480	701-328-2400
Representation Illona A. Jeffcoat-Sacco	Address Same as above	Telephone Number 701-328-2407
PARTY Montana-Dakota Utilities Co.	Address 400 N. 4 th Street Bismarck, ND 58501	Telephone Number 701-222-7900
Representation Daniel Kuntz Associate General Counsel MDU Resources Group, Inc.	Address P.O. Box 5650 Bismarck, ND 58506-5650	Telephone Number 701-530-1016
PARTY	Address	Telephone Number
Representation	Address	Telephone Number
PARTY	Address	Telephone Number
Representation	Address	Telephone Number