

**STATE OF NORTH DAKOTA**  
**PUBLIC SERVICE COMMISSION**

**Otter Tail Power Company/McLean Electric  
Coop  
Garrison Area  
Service Area Agreement**

**Case No. PU-10-334**

**Otter Tail Power Company  
Garrison Area- Service Area Agreement  
Public Convenience & Necessity**

**Case No. PU-10-417**

**AFFIDAVIT OF SERVICE BY CERTIFIED & REGULAR MAIL**

STATE OF NORTH DAKOTA  
COUNTY OF BURLEIGH

**Cara DeSaye** deposes and says that:

She is over the age of 18 years and not a party to this action, and, on the 27<sup>th</sup> day of **September, 2010**, she deposited in the United States Mail, at Bismarck, North Dakota, **one** envelope with certified postage, return receipt requested, fully prepaid, securely sealed and containing a photocopy of:

**Order Approving Electric Service Area Agreement**

an original of:

**Certificate of Public Convenience and Necessity  
Certificate Number 5422**

The envelope was addressed as follows:

Bruce Gerhardson  
Associate General Counsel  
Otter Tail Power Company  
215 South Cascade Street  
Fergus Falls, MN 56538-0496

**Cert. No. 7009 2820 0002 9238 0033**

- 15 PU-10-417 Filed 09/27/2010 Pages: 5  
Affidavit of Service Cert. & Reg. mail - Order Approving Service Area Agreement & issuing CPCN  
Public Service Commission
- 15 PU-10-334 Filed 09/27/2010 Pages: 5  
Affidavit of Service Cert. & Reg. mail - Order Approving Service Area Agreement & issuing CPCN  
Public Service Commission

**Cara DeSaye** further deposes and says that on the 27<sup>th</sup> day of **September, 2010**, she deposited in the United States Mail, at Bismarck, North Dakota, **one** envelope with certified postage, return receipt requested, fully prepaid, securely sealed and containing a photocopy of:

**Order Approving Electric Service Area Agreement**

The envelope was addressed as follows:

Martin D. Dahl  
General Manager/ CEO  
McLean Electric Cooperative, Inc.  
4031 Hwy. 37 Bypass NW  
PO Box 399  
Garrison, ND 58540-0399

**Cert. No. 7009 2820 0002 9238 0040**

**Cara DeSaye** further deposes and says that on the 27<sup>th</sup> day of **September, 2010**, she deposited in the United States Mail, Bismarck, North Dakota, **four** envelopes by regular mail, with postage fully prepaid, securely sealed, each containing a photocopy of the same:

Mark Helland  
Otter Tail Power Company  
215 South Cascade Street  
PO Box 496  
Fergus Falls, MN 56538-0496

Dennis Ellefson  
Otter Tail Power Company  
226 South Main  
PO Box 289  
Rugby, ND 58368-0289

Donald Sorge  
McLean Electric Cooperative, Inc.  
4031 Hwy. 37 Bypass NW  
PO Box 399  
Garrison, ND 58540-0399

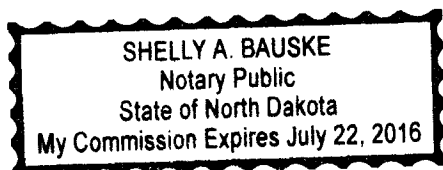
Dave Reinarts  
Mayor  
Garrison City Hall  
PO Box 459  
Garrison, ND 58540

Each address shown is the respective addressee's last reasonably ascertainable post office address.

Subscribed and sworn to before me  
this 27<sup>th</sup> day of **September, 2010**.

  
\_\_\_\_\_

SEAL



  
\_\_\_\_\_  
Notary Public

**STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION**

**Otter Tail Corporation / McLean Electric Coop  
Garrison Area  
Service Area Agreement**

**Case No. PU-10-334**

**Otter Tail Corporation  
Garrison Area – Service Area Agreement  
Public Convenience & Necessity**

**Case No. PU-10-417**

**ORDER APPROVING ELECTRIC SERVICE AREA AGREEMENT**

**September 22, 2010**

On July 12, 2010, Otter Tail Corporation d/b/a Otter Tail Power Company (Otter Tail) and McLean Electric Cooperative (McClean) filed a joint application (Case No. PU-10-334) for approval of a Service Area Agreement to establish service areas and designate service locations to be served by Otter Tail and McLean within and around the City of Garrison, North Dakota. Otter Tail further requested it be issued a certificate of public convenience and necessity (Case No. PU-10-417) authorizing it to extend service to locations within the Otter Tail service area set forth in the agreement.

On July 14, 2010 the Commission issued a Notice of Filing, Notice of Informal Hearing and Notice of Opportunity for Hearing, which provided until September 3, 2010 for receiving written comments or hearing requests. No response has been received. The Notice identified the issues to be considered in these proceedings as whether the Service Area Agreement complies with section 49-03-06 of the North Dakota Century Code (N.D.C.C.), and whether the approval of the Service Area Agreement and resulting certificate issuance are compatible with the public interest.

On September 8, 2010, the Commission discussed the issues with Commission staff and the applicants at an informal hearing. Otter Tail contend that the agreement will:

1. Create the certainty necessary for both applicants to plan and operate efficiently within the service area granted to them;
2. Establish service areas that will avoid unreasonable duplication of electric facilities;
3. Mandate that both parties provide electric service consistent with applicable standards specified therein, so as to best assure adequate and reliable electric service to customers; and
4. Establish agreements that will help to avoid territorial disputes between the parties regarding their service in and around the City of Garrison.

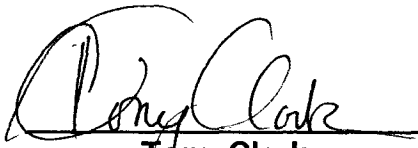
Having considered this matter the Commission finds that the Service Area Agreement complies with N.D.C.C. section 49-03-06, and that approval of the Service Area Agreement and the resulting certificate issuance are compatible with the public interest. Therefore, the Commission issues the following:

**Order**

The Commission Orders:

1. The electric service agreement filed jointly by Otter Tail Corporation d/b/a Otter Tail Power Company and Northern Plains Electric Cooperative is APPROVED.
2. Otter Tail Corporation d/b/a Otter Tail Power Company is issued Certificate of Public Convenience and Necessity No. 5422 authorizing the provision of electric service to customers within the agreed-upon service areas around the city of Garrison.

**PUBLIC SERVICE COMMISSION**



**Tony Clark**  
Commissioner



**Kevin Cramer**  
Chairman



**Brian P. Kalk**  
Commissioner

**PUBLIC SERVICE COMMISSION  
STATE OF NORTH DAKOTA**

**Certificate of Public Convenience and Necessity  
Certificate Number 5422**

*This is to certify that public convenience and necessity require, and permission is granted for Otter Tail Power Company, to provide electric service to customers around the City of Garrison, North Dakota as established in an electric service area agreement negotiated with McLean Electric Cooperative and approved by the Commission in Case No. PU-10-334.*

*This certificate is issued in accordance with the Order of this Commission dated September 22, 2010 in Case Nos. PU-10-334 and PU-10-417, and is subject to the conditions and limitations noted in the Order.*

*This certificate is conditioned upon Otter Tail Power Company securing the franchise or other authority of the proper municipal or other public authority for the exercise of these rights and privileges.*

*Bismarck, North Dakota, September 22, 2010.*

**ATTEST:**

**PUBLIC SERVICE COMMISSION**

  
**Executive Secretary**

  
**Commissioner**