



# Public Service Commission

## State of North Dakota

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### COMMISSIONERS

Kevin Cramer  
Tony Clark  
Brian P. Kalk

Executive Secretary  
Darrell Nitschke

Mr. Allen C. Hoberg  
Office of Administrative Hearings  
1707 North 9<sup>th</sup> Street, Lower Level  
Bismarck, ND 58501

Re: Bear Paw Energy, LLC  
Siting Application  
Case No. PU-10-568

Dear Mr. Hoberg:

Enclosed is a request for an Administrative Law Judge in the captioned case. A Notice of Hearing has not yet been issued in this case but when there is one it will be forwarded to your office.

The Administrative Law Judge will serve as a procedural law judge and any hearing held for this case will be electronically recorded.

If you have any questions, please contact me. Thank you.

Best regards,

Illona A. Jeffcoat-Sacco  
General Counsel

enclosure  
c: w/encl. Bill Delmore

600 E. Boulevard Ave. Dept 408  
Bismarck, North Dakota 58505-0480  
Web: [www.nd.gov/psc](http://www.nd.gov/psc)  
E-mail: [ndpsc@nd.gov](mailto:ndpsc@nd.gov)  
Phone 701-328-2400  
Toll Free 1-877-245-6685  
Fax 701-328-2410  
TDD 800-366-6888 or 711

21 September 2010



**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 Bear Paw Energy, LLC - Siting Application - PSC Case No. PU-10-568

(e.g., application of [name], appeal of [name], petition of [name]). Authority for the administrative action is found in North Dakota Century Code Chapter 49-22 \_\_\_\_\_ (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:  
 Bear Paw submitted to the PSC a filing containing a request for waiver or reduction of procedures and time schedules and an application for a Certificate of Site Compatibility for its Garden Creek Gas Plant Project.

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<br>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 Notice of Hearing has not yet been issued in this case but when there is one it will be forwarded to your office.

(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<br>Illona A. Jeffcoat-Sacco, General Counsel | Date<br>21 September 2010        |
| Signature of Requesting Person<br>x <i>Illona A. Jeffcoat-Sacco</i>                               | Telephone Number<br>701-328-2407 |

Attachment  
Request for ALJ  
21 September 2010

Bear Paw Energy, LLC  
Siting Application  
Case No. PU-10-568

|   |  |   |
|---|--|---|
| <b>AGENCY</b>   | <b>Address</b>   | <b>Telephone Number</b>                 |
| North Dakota Public Service Commission                                | 600 E. Blvd. Ave. Dept. 408<br>Bismarck, ND 58505-0480   | 701-328-2400                            |
| <b>Representation</b><br>Illona A. Jeffcoat-Sacco,<br>General Counsel | <b>Address</b><br>Same as above                          | <b>Telephone Number</b><br>701-328-2407 |
| <b>PARTY</b><br>Bear Paw Energy, LLC                                  | <b>Address</b><br>P.O. Box 871, Tulsa, OK<br>74102-0871  | <b>Telephone Number</b><br>918-588-7480 |
| <b>Representation</b><br>Bill Delmore                                 | <b>Address</b><br>P.O. Box 1266<br>Mandan, ND 58554-7266 | <b>Telephone Number</b><br>701-663-9818 |
| <b>PARTY</b>  | <b>Address</b>   | <b>Telephone Number</b>                 |
| <b>Representation</b>   | <b>Address</b>   | <b>Telephone Number</b>                 |
| <b>PARTY</b>  | <b>Address</b>   | <b>Telephone Number</b>                 |
| <b>Representation</b>   | <b>Address</b>   | <b>Telephone Number</b>                 |