



Public Service Commission

State of North Dakota

COMMISSIONERS

Kevin Cramer
Tony Clark
Brian P. Kalk

Executive Secretary
Darrell Nitschke

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

Re: Montana-Dakota Utilities Co.
Whiting Oil & Gas Corporation
PU-10-615
Public Convenience & Necessity

Dear Mr. Hoberg:

Enclosed is a request for an Administrative Law Judge in the captioned case. A hearing will begin 31 January 2011, at 10:00 a.m. CST, in the Commission Hearing Room, 12th Floor, State Capitol, Bismarck, North Dakota 58505. A copy of the Notice of Hearing is enclosed.

The Administrative Law Judge will serve as a procedural law judge and the hearing 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. Daniel Kuntz

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

16 December 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 Montana-Dakota Utilities Co. / Whiting Oil & Gas Corporation - Public Convenience & Necessity
 Case No. PU-10-615

(e.g., application of [name], appeal of [name], petition of [name]). Authority for the administrative action is found in North Dakota Century Code Chapter 49-03 (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:
 On December 3, 2010, Roughrider Electric Cooperative, Inc. of Hazen, North Dakota filed its objection to MDU's application and requested the matter be set for hearing. Please see attached Notice of Hearing for issues to be considered at the hearing

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
 Please see attached Notice of Hearing for location, date, and time of hearing.

(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 Illona A. Jeffcoat-Sacco, General Counsel	Date 16 December 2010
Signature of Requesting Person X	Telephone Number 701-328-2407

Attachment
 Request for ALJ
 16 December 2010

Montana-Dakota Utilities Co.
 Whiting Oil & Gas Corporation
 PU-10-615
 Public Convenience & Necessity

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 General Counsel	Address Same as above	Telephone Number 701-328-2407
PARTY Montana-Dakota Utilities Co.	Address 400 N. 4 th St. Bismarck, ND 58501	Telephone Number 701-222-7900
Representation Daniel S. Kuntz Associate General Counsel	Address MDU Resources Group, Inc. 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

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**Montana-Dakota Utilities Co.
Whiting Oil & Gas Corporation – Stark County
Public Convenience & Necessity**

Case No. PU-10-615

NOTICE OF HEARING

December 8, 2010

On October 21, 2008, Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., (MDU) filed an application to extend electric service to Whiting Oil & Gas Corporation for a natural gas compression and processing plant to be constructed in the N½, NW1/4, Section 17, Township 139N, Range 99W, Stark County near Belfield, North Dakota.

On November 2, 2010, the Commission issued a Notice of Opportunity for Hearing, which provided until December 6, 2010 for filing written objections. On December 3, 2010, Roughrider Electric Cooperative, Inc. of Hazen, North Dakota filed its objection to MDU's application and requested the matter be set for hearing.

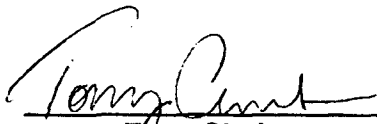
Please take notice that a public hearing on the application is scheduled to begin **January 31, 2011, at 10:00 a.m. CST, in the Commission Hearing Room, 12th Floor, State Capitol, Bismarck, North Dakota 58505.** The issues to be considered are:

1. From whom do the customers prefer electric service?
2. What electric suppliers are operating in the general area?
3. What electric supply lines exist within at least a two-mile radius of the location to be served, and when were they constructed?
4. What customers are served by electric suppliers within at least a two-mile radius of the location to be served?
5. What are the differences, if any, between the electric suppliers available to serve the area with respect to reliability of service?
6. Which of the available electric suppliers will be able to serve the location in question more economically and still earn an adequate return on its investment?
7. Which supplier's extended electric service would best serve orderly and economic development of electric service in the general area?
8. Would approval of the applications result in wasteful duplication of investment or service?
9. Is it probable that the location in question will be included within the corporate limits of a municipality within the foreseeable future?

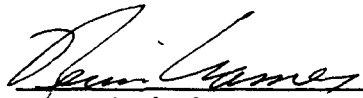
10. Will service by either of the electric supplier in the area unreasonably interfere with the service or system of the other?

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 at least 24 hours in advance.

PUBLIC SERVICE COMMISSION



Tony Clark
Commissioner



Kevin Cramer
Chairman



Brian P. Kalk
Commissioner