

DeSaye, Cara G.

From: DeSaye, Cara G.
Sent: Monday, January 30, 2012 11:19 AM
To: colleenp@ndna.com
Subject: No. PU-11-163 & PU-11-165 Notice of Opportunity for Hearing
Attachments: 091-020.docx

Colleen (colleen@ndna.com)
North Dakota Newspaper Association

Please have the attached Notice of Opportunity for Hearing published one time as a legal publication in the next issue of the following newspapers:

Devils Lake Journal
Grand Forks Herald
Minot Daily News
The Bismarck Tribune
The Daily News
The Dickinson Press
The Fargo Forum
The Jamestown Sun
Valley City Times
Williston Daily Herald

Do not publish in the classifieds. Please run it as a "News Item Only" article as well.

Send the bill to the Public Service Commission along with a tear sheet for billing purposes.

Please confirm via email that you received this request.

If you have any questions or cannot open the files, please call me at 328-4076 or email.

Thank You.

Cara DeSaye
ND Public Service Commission
600 E. Boulevard Ave., Dept. 408
Bismarck, ND 58505-0480
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STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Montana-Dakota Utilities Co.
Advance Determination of Prudence – Big Stone Air
Application

Case No. PU-11-163

Otter Tail Power Company
Advance Determination of Prudence – Big Stone Air
Application

Case No. PU-11-165

NOTICE OF OPPORTUNITY FOR HEARING
January 27, 2012

On May 20, 2011, Montana-Dakota Utilities Co. (MDU) filed an application for advance determination of prudence for its investment in air quality control equipment at the Big Stone Generating Plant, Case No. PU-11-163. Also on May 20, 2011, Otter Tail Power Company (Otter Tail) filed an application for advance determination of prudence for its investment in air quality control equipment at the Big Stone Generating Plant, Case No. PU-11-165.

On July 27, 2011, the North Dakota Public Service Commission (Commission) issued a Notice of Filing and Notice of Intervention Deadline providing until September 2, 2011 for petitions to intervene.

On September 7, 2011, the Commission issued Notice of Consolidated Hearing consolidating these two cases for hearing for November 29, 2011 at 8:30 a.m. in the Commission Hearing Room of the State Capitol, 12th Floor, Bismarck, North Dakota 58505. The hearing was held as scheduled.

On January 4, 2012, MDU, Otter Tail and Advocacy Staff entered into a Settlement Agreement which they assert will resolve the issues in Case No. PU-11-163 and Case No. PU-11-165.

The issue to be considered in this matter is whether the Settlement Agreement should be approved and adopted by the Commission for the resolution of the issues in Case No. PU-11-163 and Case No. PU-11-165. Those interested are invited to comment in writing. Persons desiring a hearing must file a written request identifying their interest in the proceeding and the reasons for requesting a hearing. Comments and requests for hearings must be received **by close of business on March 7, 2012.**

The Commission may make a decision in these two cases without hearing. If the Commission does not approve and adopt the Settlement Agreement in full resolution of the two cases, further Commission proceedings may be required.

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.

PUBLIC SERVICE COMMISSION

**Kevin Cramer
Commissioner**

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