

vern L. Marquart to reverse a February 7, 2011, and February 22, 2011, decision by the Fargo City Commission relating to a site plan decision regarding the construction of a new residential treatment center and educational center to be owned and operated by the Dakota Boys and Girls Ranch at the above noted location.

Additional information may be obtained by viewing the project file located at the City of Fargo Planning Department, 200 3rd Street North, Fargo, North Dakota, Monday through Friday, 8:00 a.m. to 4:30 p.m.

John Q. Paulsen  
Chair

1390451

(January 30, February 6, 2012)

**STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION**

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

Case No. PU-11-163

Other 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, Other Tail Power Company (Other 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, Other 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 to comment 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 will 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 877-245-6688 (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 Gramer, Commissioner  
Tony Clark, Chairman  
Brian P. Kalk, Commissioner

1394658

(February 6, 2012)

plainty marked "Water Main Replacement, Street Reconstruction & Incidentals, Improvement District No. 6106," and attached to the outside of the bid envelope must be **A SEPARATE ENVELOPE CONTAINING A LIST OF ALL ADDENDA TO THE PLANS AND SPECIFICATIONS AND AN ACKNOWLEDGEMENT BY THE BIDDER OF RECEIPT OF SUCH ADDENDA. THE SEPARATE ENVELOPE SHALL ALSO CONTAIN A BIDDER'S BOND IN THE AMOUNT OF 5% OF THE FULL AMOUNT OF THE BID** executed by the bidder, as principal and by a surety, conditioned that if the principal bid is accepted and the contract awarded to the principal, the principal, within 10 days after notice of award, shall execute a contract in accordance with the terms of the bid and a contractor's bond as required by law and the regulations and determinations of the governing body. Counter-signature of a bid bond is not required under this section.

All bidders, except a bidder on a municipal, rural, and industrial water supply project authorized for funding under Public Law No. 99-294, 100 Stat. 426, 43 U.S.C. 399a), must be licensed for the full amount of the bid, as required by Section 43-07-05. A copy of the Contractor's License or Certificate of Renewal thereof, issued by the Secretary of State, must be enclosed in the bid bond envelope as required under Section 43-07-12.

No bid may be read or considered if it does not fully comply with these requirements and any deficient bid submitted must be ressealed and returned to the bidder immediately.

Plans and specifications are also on file in the office of the City Engineer and the City Auditor, City Hall, Fargo, North Dakota, where they may be examined by any interested person.

Proposals, Plans, and Specifications may be examined and secured via the Internet from the E-Plan Room at: <http://apps.cityof Fargo.com/engineering/bidsheets/>. Alternatively, plans and specifications and bidder blanks may be purchased from the City Engineer upon payment of \$125.00.

The Board of City Commissioners of the City of Fargo, North Dakota, reserves the right to hold all bids for a period of thirty days after the first day fixed for the opening of the bids, and the right to reject any or all bids and to waive any formalities.

**City Auditor's Office  
RESOLUTION DECLARING  
WATER MAIN REPLACEMENT,  
STREET RECONSTRUCTION AND  
INCIDENTALS NECESSARY  
IMPROVEMENT DISTRICT NO. 6106  
BE IT RESOLVED BY THE BOARD  
OF CITY COMMISSIONERS OF THE  
CITY OF FARGO:**

That it be and is hereby declared necessary to construct Water Main Replacement, Street Reconstruction and Incidentals, Improvement District No. 6106 in the City of Fargo, North Dakota, according to the Engineer's Report for this district and the Plans and City Specifications approved by the Board of City Commissioners of the City of Fargo, North Dakota, filed in the Office of the City Auditor, and open for public inspection. A map of the district is attached hereto and incorporated as if fully set forth herein.

That the entire cost of said improvement be specially assessed against the benefited property in said improvement district in amounts proportionate to and not exceeding the benefits to be derived by them respectively from said improvement.

Protests against the proposed Water Main Replacement, Street Reconstruction and Incidentals must be in writing and must be filed with the City Auditor's Office within 30 days after the first publication of this Resolution.

**BE IT FURTHER RESOLVED**, That the City Auditor's Office is hereby instructed to publish this Resolution, as required by law.

**CERTIFICATE  
STATE OF NORTH DAKOTA**

**COUNTY OF CASS**

I, Steven Sprague, the duly appointed, qualified and acting City Auditor of the City of Fargo, North Dakota, do hereby certify that the foregoing is a full, true, and correct copy of a Resolution adopted by the Board of City Commissioners of the City of Fargo at the Regular Meeting of the Board held on Monday, January 23, 2012.

1394658

(February 6, 2012)

Scott Adams, United Accounts Inc, One-Main Financial, and Any person in Possession.

**SUMMONS**

**Civil No. 09-2012-CV-04009**  
**THE STATE OF NORTH DAKOTA TO**  
**THE ABOVE NAMED DEFENDANTS:**

1. You are hereby summoned to appear and defend against the Complaint in this action, which has been filed with the Clerk of Court and is herewith served upon you, by serving upon the undersigned a copy of an Answer or other proper response within twenty-one (21) days after the service of this Summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Complaint. The original Complaint is filed with the Clerk of the District Court in the County in which this action is commenced.

2. This action relates to the foreclosure of a mortgage upon the following described real property in the County of Cass, State of North Dakota:

All that tract or parcel of land situate in Cass County, North Dakota, known and described as being Lot Three (3), Block Thirteen (13), Chandlers' Broadway Addition to the City of Fargo, aka 1610 7th St. N., Fargo, ND 58102.

3. The Plaintiff is not seeking a personal judgment against the above-named Defendants.

Dated December 5, 2011.

**MACKOFF KELLOGG LAW FIRM**

Attorneys for the Plaintiff

Office and Post Office Address:

38 Second Avenue East

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By: Charles J. Peterson, Attorney

#40009

David C. Piper, Attorney #06723

**THIS IS AN ATTEMPT TO COLLECT**

**THE REFERENCED DEBT AND ANY IN-**

**FORMATION OBTAINED WILL BE**

**USED FOR THAT PURPOSE. THIS**

**COMMUNICATION IS FROM A DEBT**

**COLLECTOR.**

(February 6, 13, 20, 2012)

1392279

**STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION**

Other Tail Power Company  
Renewable Resource Cost Recovery  
Factor  
Tariff

Case No. PU-12-24

**NOTICE OF OPPORTUNITY FOR  
HEARING**

January 24, 2012

On December 29, 2011, Other Tail Power Company (Other Tail) filed a request for approval of its 2012 Renewable Resource Cost Recovery Adjustment Factor (Factor) for recovering costs associated with its wind farms. The proposed Factor includes updated cost and revenue information for investments in the Langdon, Ashlabula, and Luverna Wind Projects. The proposal would add \$0.00005 per kWh for an increase of 4¢ per month for a typical residential customer using 750 kWh.

The issue to be considered is what Factor is necessary to provide a just and reasonable rate of return on Other Tail's commission approved investment in wind farms for the service and convenience of the public in North Dakota?

Petitions to intervene must be received by March 7, 2012. Comments and requests for a hearing must be received by March 15, 2012. Persons desiring a hearing must file a written request identifying their interest in the proceeding and the reasons for requesting a hearing. If deemed appropriate, the commission can determine these matters without a hearing.

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.

**PUBLIC SERVICE COMMISSION**

Kevin Gramer, Commissioner  
Tony Clark, Chairman  
Brian P. Kalk, Commissioner

1391747

(February 6, 2012)

216  
Fargo