



Public Service Commission
State of North Dakota

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9 September 2011

Mr. Allen C. Hoberg
Office of Administrative Hearings
2911 North 14th Street – Suite 303
Bismarck, ND 58503

Re: Montana-Dakota Utilities Co.
Advance Determination of Prudence Application
PSC Case No. PU-11-395

Montana-Dakota Utilities Co.
Public Convenience and Necessity
PSC Case No. PU-11-396

Dear Mr. Hoberg:

Enclosed are two requests for an Administrative Law Judge in the captioned cases. We anticipate consolidation of these cases for hearing. The cases are in their early stages and as of yet, there hasn't been a Notice of Hearing issued in either case. When a Notice of Hearing is issued, a copy will be forwarded to your office.

The Administrative Law Judge will serve as a procedural law judge and the hearing(s) 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 enclosure:

Daniel S. Kuntz, Associate General Counsel, MDU Resources Group, Inc.



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. Advance Determination of Prudence Application
 PSC Case No. PU-11-395

(e.g., application of [name], appeal of [name], petition of [name]). Authority for the administrative action is found in North Dakota Century Code Section 49-05-16 _____ (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:
 MDU filed an application for an ADP to construct, own and operate an 88 MW simple cycle combustion turbine, the necessary transmission interconnection facilities for the turbine, and the natural gas pipeline to supply the turbine located near Mandan, ND.

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
 The case is in its early stage and as of yet, there hasn't been a Notice of Hearing issued. When the Notice of Hearing is issued, a copy 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 Illona A. Jeffcoat-Sacco, General Counsel	Date 9 September 2011
Signature of Requesting Person x <i>Illona A. Jeffcoat-Sacco</i>	Telephone Number 701-328-2407



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. Public Convenience and Necessity
 PSC Case No. PU-11-396

(e.g., application of [name], appeal of [name], petition of [name]). Authority for the administrative action is found in North Dakota Century Code Section 49-03-01 _____ (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:
 MDU filed an application for a PC & N to construct, own and operate an 88 MW simple cycle combustion turbine, the necessary transmission interconnection facilities for the turbine, and the natural gas pipeline to supply the turbine located near Mandan, ND.

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.

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Typed or Printed Name and Title of Requesting Person Illona A. Jeffcoat-Sacco, General Counsel	Date 9 September 2011
Signature of Requesting Person x <i>Illona A. Jeffcoat-Sacco</i>	Telephone Number 701-328-2407

Attachment
Request for ALJ
9 September 2011

Montana-Dakota Utilities Co.
Advance Determination of Prudence Application
PSC Case No. PU-11-395

Montana-Dakota Utilities Co.
Public Convenience and Necessity
PSC Case No. PU-11-396

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 Commission Advisory Staff	Address Same as above	Telephone Number 701-328-2407
Mark Gruman PSC Advocacy Staff	Same as above	701-328-2421
PARTY Montana-Dakota Utilities Co.	Address 400 North Fourth Street Bismarck, ND 58501	Telephone Number 701- 222-7854
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