



Public Service Commission
State of North Dakota

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28 October 2011

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

Re: Nodak Electric Cooperative, Inc.
vs. Otter Tail Power Company
Complaint
PSC Case No. PU-11-654

Dear Mr. Hoberg:

Enclosed is a request for an Administrative Law Judge in the captioned case. The case is in its early stages and as of yet, there hasn't been a Notice of Hearing issued. 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 any 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 enclosure:

Carol Larson, Attorneys for Nodak Electric Cooperative, Inc.
Bruce Gerhadson, Attorneys for Otter Tail Power Company
Gerad Paul, Assistant General Counsel, Minnkota Power Cooperative, 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 Nodak Electric Cooperative, Inc. vs. Otter Tail Power Company - Complaint PSC Case No. PU-11-654

This Complaint is related to Otter Tail Power Company East Devils Lake Outlet Pumping Station PC&N, Case No. PU-11-542

(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:
 Nodak Electric Cooperative requests the Commission to make its Order restraining, enjoining and requiring Otter Tail to cease and desist from constructing an extension of its electric public utility plant and system.

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
 This case is in its early stages and there has not been a Notice of Hearing issued. When there is a Notice, we will forward that 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 28 October 2011
Signature of Requesting Person x <i>Illona A. Jeffcoat-Sacco</i>	Telephone Number 701-328-2407

Attachment
 Request for ALJ
 28 October 2011

Nodak Electric Cooperative, Inc.
 vs. Otter Tail Power Company
 Complaint
 PSC Case No. PU-11-654

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 Nodak Electric Cooperative, Inc.	Address P.O. Box 13000 Grand Forks, ND 58208-3000	Telephone Number 701-746-4461
Representation Carol Larson, Attorneys for Nodak Electric Cooperative, Inc.	Address Pringle & Herigstad, P.C. P.O. Box 1000 Minot, ND 58702-1000	Telephone Number 701-852-0381
PARTY Otter Tail Power Company	Address 215 South Cascade St. Fergus Falls, MN 56538-0496	Telephone Number 218-739-8200
Representation Bruce Gerhardson Associate General Counsel for Otter Tail Power Company	Address P.O. Box 496 Fergus Falls, MN 56538-0496	Telephone Number 218-739-8475
PARTY Nodak Electric Cooperative, Inc.	Address 4000 32 nd Ave. South Grand Forks, ND 58201-5944	Telephone Number 701-746-4461
Representation Gerad Paul Attorney for Nodak Electric Cooperative, Inc. (Case No. PU-11-542)	Address Minnkota Power Cooperative, Inc. P.O. Box 13200 Grand Forks, ND 58208-3200	Telephone Number 701-795-4000