

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

**Nodak Electric Cooperative, Inc.
vs. Otter Tail Power Company
Complaint**

Case No. PU-11-654

AFFIDAVIT OF SERVICE BY CERTIFIED MAIL

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

Cara DeSaye deposes and says that:

she is over the age of 18 years and not a party to this action and, on the **21st** day of **February, 2012**, she deposited in the United States Mail, at Bismarck, North Dakota, **two** envelopes with certified postage, return receipt requested, fully prepaid, securely sealed, containing a photocopy of:

Order of Dismissal

The envelopes were addressed as follows:

Bruce Gerhardson
Otter Tail Power Company
PO Box 496
Fergus Falls MN 56532-0496

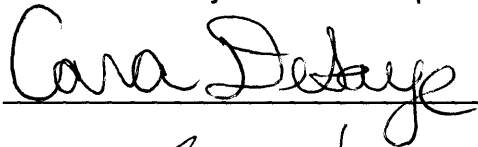
Carol Larson
Pringle & Herigstad, P.C.
PO Box 1000
Minot ND 58702


Cert. No. 7009 2820 0002 9237 5237

Cert. No. 7009 2820 0002 9237 5244

Each address shown is the respective addressee's last reasonably ascertainable post office address.

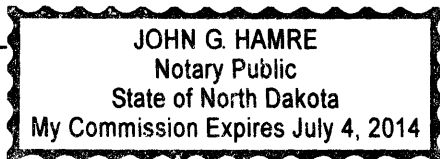
Subscribed and sworn to before me
this **21st** day of **February, 2012**





Notary Public

SEAL



**STATE OF NORTH DAKOTA
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ORDER OF DISMISSAL

February 15, 2012

On October 10, 2011, Nodak Electric Cooperative, Inc. (Nodak) filed a complaint with the North Dakota Public Service Commission (Commission) against Otter Tail Power Company (Otter Tail). Nodak's complaint alleges that Otter Tail was about to construct an extension of its public utility plant and system to provide electric service to the North Dakota State Water Commission's Devils Lake East End Outlet project, a location located in Nodak's service area, without first obtaining from the Commission a certificate of public convenience and necessity. Nodak alleges that Otter Tail's conduct is in violation of N.D.C.C. sections 49-03-01 through 49-03-01.5.

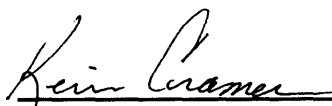
On February 1, 2012, Nodak and Otter Tail filed a Stipulation of Dismissal of Nodak's Complaint agreeing to the full and final resolution and dismissal of all matters in dispute, and agreeing and stipulating to the dismissal of the complaint in this proceeding.

ORDER


The Commission Orders:

1. Nodak Electric Cooperative's complaint in Case No. PU-11-654 is dismissed under the parties' stipulation for dismissal.
2. Otter Tail Power Company's motion to dismiss the complaint in Case No PU-11-654 is moot under the parties' stipulation for dismissal and the Commission's order of dismissal.

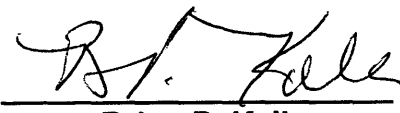
PUBLIC SERVICE COMMISSION



**Kevin Cramer
Commissioner**



**Tony Clark
Chairman**



**Brian P. Kalk
Commissioner**