



Public Service Commission

State of North Dakota

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14 February 2012

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

Re: North Central Electric Cooperative, Incorporated
vs. Otter Tail Power Company
Complaint
Case No. PU-11-701

Dear Mr. Hoberg:

Enclosed is a request for an Administrative Law Judge in the captioned case. The Notice of Hearing has not yet been issued. When a Notice of Hearing is issued, we will forward it to your office.

The Administrative Law Judge will serve as a procedural law judge and the 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/encl. Debra Hoffarth
Paul Sanderson



REQUEST FOR ADMINISTRATIVE LAW JUDGE--APPEAL, APPLICATION, OR PETITION
 NORTH DAKOTA OFFICE OF ADMINISTRATIVE HEARINGS
 SFN 17819 (Rev. 06-2007)

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 North Central Electric Cooperative, Incorporated vs. Otter Tail Power Company

Complaint - PSC Case No. PU-11-701

(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:
 North Central Electric Cooperative claims that Otter Tail's construction of an extension of its transmission and distribution lines without first obtaining a Certificate of PC & N is in violation of the North Dakota Century Code.

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 28-32-31(5). See NDCC 54-57-04.
- 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 Notice of Hearing has not yet been issued. When a Notice of Hearing is issued, we will forward it 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 Jeffcoat-Sacco, General Counsel	Date 2/14/2012
Signature of Requesting Person <i>x Illona S. Jeffcoat-Sacco</i>	Telephone Number (701) 328-2407

Attachment
 Request for ALJ
 14 February 2012

North Central Electric Cooperative, Incorporated
 vs. Otter Tail Power Company
 Complaint
 Case No. PU-11-701

AGENCY	Address	Telephone Number
North Dakota Public Service Commission	600 E. Blvd. Ave. Dept. 408 Bismarck, ND 58505-0480	701-328-2400
Representation Illona Jeffcoat-Sacco General Counsel	Address 600 E. Blvd. Ave. Dept. 408 Bismarck, ND 58505-0480	Telephone Number 701-328-2407
PARTY North Central Electric Cooperative, Inc.	Address 501 11 th St. West Bottineau, ND 58318	Telephone Number 701-228-2202
Representation Debra Hoffarth Attorneys for North Central 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 Street P.O. Box 496 Fergus Falls, MN 56538-0496	Telephone Number 218-739-8475
Representation Paul Sanderson Attorneys for Otter Tail Power Company	Address Zuger Kirmis & Smith P.O. Box 1695 Bismarck, ND 58502-1695	Telephone Number 701-223-2711
PARTY	Address	Telephone Number
Representation	Address	Telephone Number