



**TURTLE MOUNTAIN
BAND OF CHIPPEWA INDIANS**

P.O. BOX 900
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RECEIVED

APR 26 2012

PUBLIC SERVICE COMMISSION

Mr. Darrell Nitschke
Executive Secretary and Director of Administration
North Dakota Public Service Commission
State Capitol
600 East Boulevard, Dept. 408
Bismarck, ND 58505-0408

**Re: North Central Electric Cooperative, Inc. v. Otter Tail Power Company
Case No. PU-11-701**

Dear Mr. Nitschke:

Enclosed for filing please find the Turtle Mountain Band of Chippewa Indians' Petition to Intervene in this case. The Turtle Mountain Band of Chippewa Indians seeks to intervene in this action for the limited purpose of asserting its inherent sovereignty to determine which utility will provide electric service to the Sky Dancer Casino. We believed our letter filing of February 15, 2012, was sufficient to make the Commission aware of our position with respect to North Central Electric Cooperative's Complaint. However, we have learned North Central may argue that the previous letter filing was not sufficient to assert Tribal jurisdiction over service to the Sky Dancer Casino. Accordingly, the Turtle Mountain Band of Chippewa Indians seeks to intervene in this case to remove any argument as to our jurisdiction over this matter.

We are aware oral argument has been set in this case for May 7, 2012. To the extent necessary, we waive any requirement of notice of the hearing on May 7th.

The original Petition to Intervene and seven copies have been filed and the other parties have been served. Please contact our Tribal Attorney Rjay Brunkow at (701) 550-5596 with any questions or concerns you may have.

Sincerely,

Merle St. Claire,
Chairman

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Petition to Intervene for Special Appearance to
Object to Jurisdiction

Turtle Mountain Band of Chippewa Indians

Merle St. Claire, Chairman

This Petition to Intervene will not unduly broaden the issues or delay the proceeding.

Dated this 25th day of April, 2012.

Turtle Mountain Band of Chippewa Indians

By: Merle St. Claire
Merle St. Claire, Chairman

BEFORE THE PUBLIC SERVICE COMMISSION OF NORTH DAKOTA

North Central Electric Cooperative, Inc.,)
)
Complainant,)
)
vs.)
)
Otter Tail Power Company,)
)
Respondent.)

AFFIDAVIT OF ELECTRONIC SERVICE

Case No. PU – 11 - 701

STATE OF NORTH DAKOTA)
: ss.
COUNTY OF BURLEIGH)

The undersigned, being duly sworn, deposes and says that: I am a United States citizen, over 18 years of age, and on April 26, 2012, I served a copy of the attached:

Petition to Intervene for Special Appearance to Object to Jurisdiction by electronic mail upon counsel and other interested individuals at the below e-mail addresses:

Debra L. Hoffarth dhoffarth@srt.com
Judge Allen Hoberg ahoberg@nd.gov
Mark Gruman mgruman@nd.gov



Paul Sanderson

Subscribed and sworn to before me, today, April 26, 2012.



Notary Public, State of North Dakota

