



Public Service Commission

State of North Dakota

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29 March 2017

Darrell Nitschke
Executive Secretary
North Dakota Public Service Commission
600 E. Blvd. Ave. Dept. 408
Bismarck, ND 58505-0480
dnitschk@nd.gov

via e-mail only

Re: *Ex parte* communication in Montana-Dakota Utilities Co., 2016 Electric Rate Increase,
Case No. PU-16-666

Dear Mr. Nitschke:

This letter and attachments are filed to report and document Commissioner Christmann's receipt of an *ex parte* communication in the captioned case, and to show service of the communication on the parties

Under N.D.C.C. section 28-32-37, *ex parte* communications are prohibited and if one is received in violation of the statute, it must be placed of record. *Ex parte* communications are also prohibited by the commission's procedural rules (N.D. Admin. Code section 69-02-05-11). Further, under the commission's rules, a written *ex parte* communication must be filed with the Executive Secretary, who must disclose the communication to the parties and file it in a public file associated with the case, but separate from the record on which the commission can rely in reaching a decision.

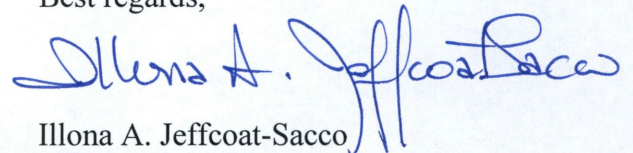
A 15-page PDF of the electronic communications is attached and will be docketed along with this letter and certificate of service.

Note that the final page of the attachment is the first page of a report. Upon receiving the communication with the report attached, I contacted the sender to notify him of the violation and that all the communications, including the report, would be served and docketed. He expressed his concern about protecting confidential information in the report. I explained the commission's process for protecting information and noted that he could withdraw the report, especially since the title of the report was misleading, the commission did not request the report, and the commission could not consider the report. We received his withdrawal shortly thereafter. The first page of the report is included here to inform the parties of the existence and title of the report. If any party wishes to view the whole report, please let me know, and we will contact the provider.

Darrell Nitschke
29 March 2017
Page 2

If you have any questions, please do not hesitate to contact me.

Best regards,

A handwritten signature in blue ink that reads "Illona A. Jeffcoat-Sacco". The signature is fluid and cursive, with the first name "Illona" and last name "Sacco" being more prominent than the middle initial "A.".

Illona A. Jeffcoat-Sacco
General Counsel


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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Letter with PDF attachment regarding *ex parte* communications was, on 29 March 2017, served on the following by electronic mail, at the addresses noted:

Mitch Armstrong (marmstrong@smithbakke.com)
Sarah Kuntz (skuntz@smithporsborg.com)
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Dated this 29 day of March 2017.



Illona A. Jeffcoat-Sacco
General Counsel
North Dakota Public Service Commission