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GREGORY MERZ
ATTORNEY
DIRECT DIAL: 612-632-3257
FAX: 612-631-4257
GREGORY.MERZ@GPMLAW.COM

February 7th, 2018

Darrell Nitschke
Executive Secretary
ND Public Service Commission
600 E. Boulevard Avenue
Bismarck, ND 58505-0480



Re: Otter Tail Power Company
Case No. PU-17-96
Our Client: Minn-Kota Ag Products, Inc.

Dear Mr. Nitschke:

Enclosed are the following in the above-referenced matter:

- Motion to admit Gregory Merz pro hac vice;
- Affidavit of Gregory Merz in support of motion;
- Affidavit of Kermit Nash in support of motion;
- Proposed order;
- Affidavit of Service; and
- A copy of our firm's check for \$380.00 payable to the North Dakota State Board of Law Examiners. The original check has been sent to the ND State Board of Law Examiners.

Respectfully,

**GRAY, PLANT, MOOTY
MOOTY & BENNETT, P.A.**


Gregory Merz
Attorney

Enclosures

77 PU-17-96 Filed 02/12/2018 Pages: 12
Motion to Admit Gregory R. Merz Pro Hac Vice with supporting documentation
Gray, Plant, Mooty, Mooty & Bennett, P.A.
Gregory Merz, Attorney

Page 2
February 7, 2018

cc: North Dakota State Board of Law Examiners (via U.S. Mail)
Patrick Ward, Administrative Law Judge (via U.S. Mail and email)
Kimberly J. Radermacher (via U.S. Mail)
Cary Stephenson (via U.S. Mail)
Zachary Pelham (via U.S. Mail)
Zachary Smith (via U.S. Mail)

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**Otter Tail Power Company
Minn-Kota Ag Products, Inc. – Richland County
Public Convenience & Necessity**

Case No. PU-17-96

**MOTION TO ADMIT GREGORY R. MERZ
PRO HAC VICE**

TO: Patrick Ward, Administrative Law Judge, Zuger, Kermis & Smith, P.O. Box 1695, Bismarck, ND 58502; Otter Tail Power Company and their counsel, Carry Stephenson, 315 W. Cascade Street, Fergus Falls, Minnesota 56538-0496; Dakota Valley Electric Coop and their counsel, Kimberly J. Radermacher, Radermacher Law, PO Box 597, 27 Center Avenue, Lamoure, North Dakota 58458, Zachary Pelham, Pearce Durick PLLC, 314 E. Thayer Avenue, Bismarck, North Dakota 58501, Zachary Smith, Comm. & Gov. Relations Director, Legal Counsel, PO Box 727, Mandan, North Dakota 58554.

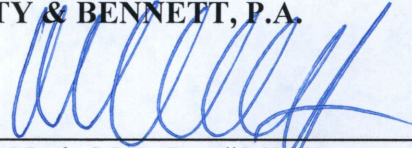
PLEASE TAKE NOTICE that pursuant to Rule 3 of the North Dakota Admission to Practice Rules, Minn-Kota Ag Products, Inc. (“Minn-Kota”) in the above captioned matter, hereby moves the above-named agency for an order authorizing Gregory R. Merz admission pro hac vice to represent Minn-Kota in this case. Oral argument on this motion is waived by Minn-Kota.

This motion for admission pro had vice requests the following relief:

1. Granting the Minn-Kota’s motion to admit Gregory R. Merz, a Minnesota attorney, license number 0185942, in good standing of the Minnesota bar, pro hac vice in North Dakota as counsel for Minn-Kota; and
2. Permitting Gregory R. Merz to appear as counsel for Minn-Kota in this case.

Dated this 7th day of February, 2018.

**GRAY, PLANT, MOOTY,
MOOTY & BENNETT, P.A.**



Kermit J. Nash (N.D. Bar #06513) ✓
Gregory R. Merz, (Pro Hac Vice Pending)
80 South 8th Street
Suite 500
Minneapolis, MN 55402
Email: gregory.merz@gpmlaw.com
Direct: (612) 632-3257
Fax: (612) 632-4257

Attorneys for Minn-Kota Ag Products, Inc.

GP:4845-9805-1164 v1

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**Otter Tail Power Company
Minn-Kota Ag Products, Inc. – Richland County
Public Convenience & Necessity**

Case No. PU-17-96

**AFFIDAVIT OF GREGORY R. MERZ
ADMISSION PRO HAC VICE**

STATE OF MINNESOTA)
) ss
COUNTY OF HENNEPIN)

[¶1] Gregory R. Merz, being first duly sworn on oath, deposes and states as follows:

1. I am an attorney at Gray Plant Mooty, licensed to practice law in the State of Minnesota, attorney license number 0185942.
2. I was admitted to the Minnesota bar on October 16, 1987, and have remained in good standing since the date of admission through the date of this affidavit.
3. I have never been the subject of a disciplinary proceeding in any jurisdiction.
4. I have never been subject to any restriction or probation in the practice of law in any jurisdiction;
5. I have never been suspended or disbarred from a court in any jurisdiction.
6. I have never appeared in a North Dakota or registered under this Rule 3 of the North Dakota Admission to Practice Rules or any other rule.
7. My address is 80 South 8th Street, Suite 500, Minneapolis, Minnesota, telephone number is (612) 632-3257, and e-mail address is gregory.merz@gpmlaw.com.
8. Simultaneously with submitting this motion and affidavit, the required fee is remitted to the State Board of Law Examiners via U.S. Mail.
9. My law partner, Kermit Nash having a Minnesota address 80 South 8th Street, Suite 500, Minneapolis, Minnesota, licensed to practice law in the State of North Dakota,

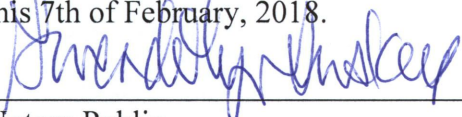
attorney license number 006513, is designated as the associate lawyer for my admission pursuant to Rule 3(A)(1)(a) of the North Dakota Admission to Practice Rules.

[¶2] FURTHER YOUR AFFIANT SAITH NOT.



Gregory R. Merz

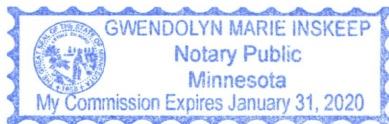
Subscribed and sworn to before me
this 7th of February, 2018.



Notary Public

My Commission Expires: 1/31/20

GP:4816-1177-1996 v1



**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**Otter Tail Power Company
Minn-Kota Ag Products, Inc. – Richland County
Public Convenience & Necessity**

Case No. PU-17-96

**AFFIDAVIT OF KERMIT NASH
IN SUPPORT OF GREGRY R. MERZ'S
MOTION FOR ADMISSION PRO HAC VICE**

STATE OF MINNESOTA)
) ss
COUNTY OF HENNEPIN)

[¶1] Kermit Nash, being first duly sworn on oath, deposes and states as follows:

1. I am an attorney at Gray Plant Mooty, licensed to practice law in the State of Minnesota, attorney license number 0304712 and the State of North Dakota, attorney license number 06513.

2. I make this affidavit in support of the admission of my law partner, Gregory Merz, pro hac vice to the State of North Dakota in this case.

3. I was admitted to the Minnesota bar on October 1, 2000, and the North Dakota bar on December 4, 2008, and have remained in good standing in both states since the date of the earlier admission through the date of this affidavit.

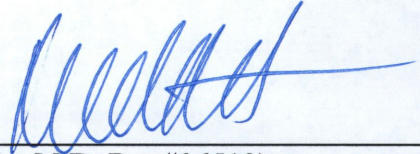
4. I have never been the subject of a disciplinary proceeding in any jurisdiction.

5. I have never been subject to any restriction or probation in the practice of law in any jurisdiction.

6. I have never been suspended or disbarred from a court in any jurisdiction.

7. I agree to accept the designation and serve as the associate lawyer for the pro hac vice admission of Gregory Merz in this case pursuant to Rule 3(A)(1)(a) of the North Dakota Admission to Practice Rules.

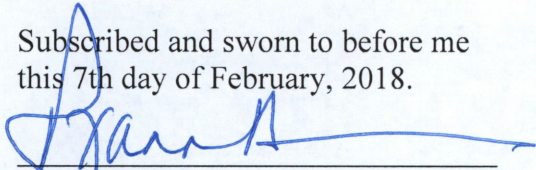
[¶2] FURTHER YOUR AFFIANT SAITH NOT.



Kermit Nash, (N.D. Bar #06513)
80 South 8th Street
Suite 500
Minneapolis, MN 55402
Email: kermit.nash@gpmlaw.com
Direct: (612) 632-3426
Fax: (612) 632-4426

Attorneys for Minn-Kota Ag Products, Inc.

Subscribed and sworn to before me
this 7th day of February, 2018.



Notary Public

My Commission Expires: 1/31/22



**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**Otter Tail Power Company
Minn-Kota Ag Products, Inc. – Richland County
Public Convenience & Necessity**

Case No. PU-17-96

**ORDER ADMITTING GREGORY R. MERZ
PRO HAC VICE**

[¶1] Upon the motion of Minn-Kota Ag Products, Inc., pursuant to Rule 3 of the North Dakota Admission to Practice Rules for the pro hac vice admission of Gregory R. Merz as its attorney in this case, and the Court, having reviewed and considered the Motion and all affidavits attached thereto, the objections, if any, and upon the record without hearing and based upon all the files, pleadings and other documents of record in this matter,

[¶2] IT IS HEREBY ORDERED:

1. Gregory R. Merz, a Minnesota attorney, license number 0185942, in good standing of the Minnesota bar, and having paid his fee and submitted sufficient affidavits in compliance with Rule 3(A)(1)(b) of the North Dakota Admission to Practice Rules, is hereby admitted to the State of North Dakota pro hac vice as counsel for the Receiver in this case;

2. Gregory R. Merz is authorized to appear as counsel for Minn-Kota Ag Products, Inc. in this case;

3. Kermit Nash, a North Dakota attorney license number 06513, is designated the associate lawyer for the pro hac vice admission of Gregory R. Merz in this case pursuant to Rule 3(A)(1)(a) of the North Dakota Admission to Practice Rules.

4. Attorneys Merz and Nash must comply with Rule 3(A)(3) of the North Dakota Admission to Practice Rules.

Dated this ____ day of February, 2018.

Judge of District Court

GP:4819-1048-5340 v1

STATE OF MINNESOTA)
) ss.
COUNTY OF STEARNS)

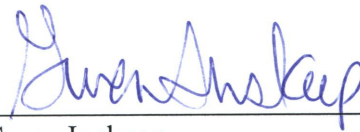
AFFIDAVIT OF SERVICE

Gwen Inskeep of the City of Minneapolis, County of Hennepin, State of Minnesota, being duly sworn, states that on the 7th day of February, 2018, she served the following documents:

1. Motion to Admit Gregory Merz Pro Hac Vice;
2. Affidavit of Gregory Merz Admission Pro Hac Vice;
3. Affidavit of Kermit Nash in Support of Gregory Merz's Motion for Admission Pro Hac Vice; and
4. (Proposed) Order Admitting Gregory Merz Pro Hac Vice.

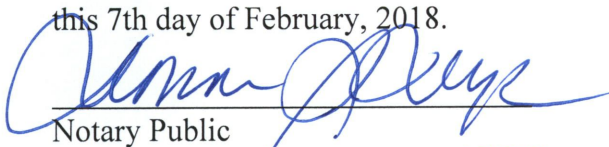
on the following, by enclosing true and correct copies of said documents in envelopes, postage prepaid, and by depositing, and mailing same in the post office at Minneapolis, Minnesota, addressed to said individuals:

Kimberly J. Radermacher Radermacher Law PO Box 597 27 Center Ave. LaMoure, ND 58458	Cary Stephenson Otter Tail Power Company 315 W. Cascade St. Fergus Falls, MN 56538-0496
Zachary Pelham Pearce Durick PLLC 314 E. Thayer Ave. Bismarck, ND 58501	Zachary Smith Comm. & Gov. Relations Director Legal Counsel PO Box 727 Mandan, ND 58554
Patrick Ward, Administrative Law Judge Zuger, Kermis & Smith P.O. Box 1695 Bismarck, ND 58502	North Dakota Board of Law Examiners 600 E Boulevard Ave # 180 Bismarck, ND 58505

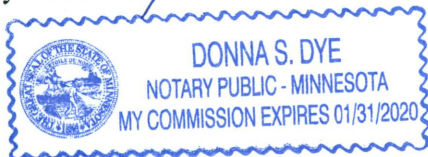


Gwen Inskeep

Subscribed and sworn to before me
this 7th day of February, 2018.



Notary Public



THE FACE OF THIS DOCUMENT HAS A VOID PANTOGRAPH AND MICROPRINTING IN THE SIGNATURE LINE

GRAY
PLANT
MOOTY

**GRAY, PLANT, MOOTY,
MOOTY & BENNETT, P.A.**

500 IDS CENTER
80 SOUTH 8TH STREET
MINNEAPOLIS, MN 55402



Bremer Bank, National Association
225 South Sixth Street (612) 782-1960
Minneapolis, MN 55402
24-hour Phone Bank 1-800-908-BANK
75-1041/960

397499

PAY Three hundred eighty and 00/100*****

TO THE
ORDER OF

DATE

February 7, 2018

AMOUNT

\$ ***380.00***

North Dakota State Board of Law Examiners
Judicial Wing 1st Fl
600 E. Boulevard Ave., Dept. 180
Bismarck, ND 58505-0530

David C. Ball

MP

Memo:

MP

⑈ 397499⑈ ⑆096010415⑆ 0667⑈8883⑈

**GRAY, PLANT, MOOTY,
MOOTY & BENNETT, P.A.**

Check #: 397499
Gray Plant Vendor ID: 13717

Request #: 273415-1785 **397499**

Invoice Number	Invoice Date	Reference	Payment Amt
328-2/7/18	2/7/2018	Minn-Kota Ag Products - 419717	\$380.00
Totals:			\$380.00