

**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 DENYING RECONSIDERATION

This administrative law judge issued an Order Denying Petition to Intervene of Minn-Kota Ag Products, Inc. on February 19, 2018 (Docket #80). Thereafter, Minn-Kota Ag Products, Inc. filed a Petition to Reconsider the Petition to Intervene and a Request to Present Oral and Written Comments (Docket #81). On March 12, 2018, Dakota Valley Electric Cooperative filed an objection to Minn-Kota Ag Products, Inc.'s Petition for Reconsideration of Petition Intervene and Request to Present Oral and Written Comments with cover letter.

I have reviewed the above documents and considered the Petition for Reconsideration. For all of the reasons outlined below and in the original Order Denying Petition to Intervene, this request for reconsideration is hereby in all things DENIED.

In addition, through the process of its Petition to Reconsider, Minn-Kota Ag Products, Inc., which is not a party to the action, makes a brash attempt to insert evidence, exhibits, and argument into the record without having been granted the right to intervene in the proceeding and after the hearing in this matter has been completed and the matter closed. I believe Minn-Kota Ag Products, Inc. has arrived much too late to the dance, and hereby Order that additional evidence or argument which Minn-Kota

Ag Products, Inc. has attempted to put forward its Petition to Reconsider is procedurally improper and should be stricken from the record.

Minn-Kota Ag Products, Inc. failed to timely intervene and has not shown good cause as to why and, therefore, the Petition for Reconsideration is DENIED.


Furthermore, Dakota Valley did request in its response to the Petition that attempts by Minn-Kota Ag Products, Inc. to provide unsolicited improper testimony evidence or argument be stricken and wholly disregarded by the Commission. IT IS SO ORDERED. The content of paragraphs 3 through 32 and Exhibits 1 and 2 of Minn-Kota Ag Products, Inc.'s Petition to Reconsider its Petition to Intervene and Request to Present Oral and Written Comments are ordered stricken completely from inclusion in the record.

The record in this case is closed to additional evidence and argument, and the matter is ripe for consideration by the full Commission.

Dated this 13th day of March, 2018.

State of North Dakota
OFFICE OF ADMINISTRATIVE HEARINGS

By:


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Administrative Law Judge
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