

**STATE OF NORTH DAKOTA  
BEFORE THE  
NORTH DAKOTA PUBLIC SERVICE COMMISSION**

In the Matter of the Application of )  
Otter Tail Power Company for )  
Authority to Increase Rates for )  
Electric Service in North Dakota )  
)  
)

Docket No. PU-17-398

**WAL-MART STORES, INC.  
PETITION TO INTERVENE**

Wal-Mart Stores, Inc. (“Wal-Mart”) by and through its undersigned counsel and pursuant to North Dakota Administrative Code 69-02-02-05 hereby petitions the North Dakota Public Services Commission (“Commission”) for intervention in the above captioned proceeding filed by Otter Tail Power Company (“Otter Tail”). In support thereof, Wal-Mart states as follows:

1. N.D. Admin. Code 69-02-02-05 provides that a petition to intervene “must be in writing and must set forth the grounds for intervention, the position and interest of the petitioner in the proceeding, what the petitioner would contribute to the hearing, and whether the petitioner’s position is in support of or in opposition to the relief sought.”

2. On November 2, 2017, Otter Tail filed an Interim Rate Petition in the above-entitled Docket, to make changes in its charges for electric services provided to its North Dakota customers.

3. Wal-Mart is a large retailer with offices located at 2001 Southeast 10th St., Bentonville, AR 72716-5530. Wal-Mart has 17 facilities and over 4,500 associates in North Dakota. Four of these facilities take electric service from Otter Tail.

4. Wal-Mart is an electric customer of Otter Tail and will be directly and substantially affected by the electric rates charged by Otter Tail to Walmart facilities. As a large commercial Otter Tail customer who is heavily invested in energy efficiency and demand-side management technology, Wal-Mart has direct financial interests in all cost of service, rate

design, and policy determinations to be considered and determined by the Commission in these proceedings.

5. Wal-Mart may present evidence through testimony as well as cross-examination on issues brought up by the rate change including testimony regarding how the rate change may impact Wal-Mart and other similarly situated industries or customers of Otter Tail, what expenses should be recovered by rate payers, and possible adjustments within the rate design.

6. Wal-Mart's interest in the outcome of these proceedings will not be adequately represented by any other party, nor will Wal-Mart's participation delay this proceeding.

7. Wal-Mart timely requests intervention in this proceeding.

8. A copy of this petition to intervene in this proceeding has been served all on parties to this proceeding. Copies of all notices, orders or pleadings in this should be served on:

Rebecca L. Mann  
Gunderson, Palmer, Nelson & Ashmore, LLP  
506 Sixth Street  
P.O. Box 8045  
Rapid City, SD 57709  
E-mail: rmann@gpna.com

With copies to:

Steve W. Chriss  
Wal-Mart Stores, Inc.  
2001 SE Tenth Street  
Bentonville, AR 72716-0550  
E-mail: Stephen.Chriss@walmart.com

WHEREFORE, for the reasons set forth above, Wal-Mart requests that the North Dakota Public Services Commission grant this timely Petition to Intervene and permit Wal-Mart to participate in this proceeding with full rights as a party.

Dated: January 11, 2018.

GUNDERSON, PALMER, NELSON &  
ASHMORE, LLP

By:  \_\_\_\_\_

Rebecca L. Mann

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**CERTIFICATE OF SERVICE**

Sheila L. Solano certifies that on the 11<sup>th</sup> day of January, 2018, she served a true and correct copy of the attached **PETITION TO INTERVENE** by email and placing it in the United States mail with postage prepaid, addressed to the following individuals:

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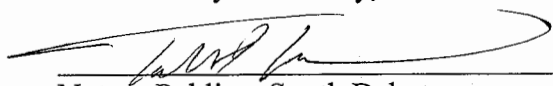
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\_\_\_\_\_  
Sheila L. Solano

Subscribed to and sworn to before me this 11<sup>th</sup> day of January, 2018.

  
\_\_\_\_\_  
Notary Public – South Dakota

My Commission Expires: 9/11/21

