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July 6, 2018

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SENT BY FEDERAL EXPRESS

North Dakota Public Service Commission
600 E. Blvd. Ave. Dept. 408
Bismarck, ND 58505-0480

Re: ND PUC Docket PU-17-398/Otter Tail Power rate increase
GPNA File No. 05960.0070



Greetings:

Enclosed an original and ten copies of *Walmart, Inc.'s Motion to Appear Telephonically and without Associated Lawyer* and Certificate of Service.

Sincerely,

Talbot J. Wiczorek

TJW:sls
Enclosures

140 PU-17-398 Filed: 7/6/2018 Pages: 5
Motion to Appear Telephonically and without
Associated Lawyer

Wal-Mart Stores, Inc - Intervenor

Rebecca L. Mann, GPNA

**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

**MOTION TO APPEAR
TELEPHONICALLY AND
WITHOUT ASSOCIATED LAWYER**

COMES NOW, counsel for Walmart, Inc. (Walmart) and hereby submits this motion requesting to appear telephonically at the hearing set for Wednesday, July 11, 2018, and for out-of-state counsel to appear without associated North Dakota Bar member counsel. The motion is based on the following reasons:

1. This matter has been resolved between the parties by execution of a Settlement Agreement.
2. Walmart submitted limited testimony in this matter and is satisfied with the proposed resolution contained in the Settlement Agreement.
3. Given the narrowing of the issues, Walmart requests its counsel be allowed to attend the hearing telephonically and that Walmart will make its witness available telephonically if the Commission has any questions on Walmart's witness testimony.
4. On May 18, 2018, Talbot J. Wiczorek was admitted pro hac vice by Order of Administrative Law Judge, Judge Patrick J. Ward.
5. That the attorney that attorney Wiczorek is associated with is his partner, Rebecca L. Mann.
6. Due to an unexpected need for surgery scheduled for Monday, July 9, 2018, Rebecca Mann will be limited in her ability to appear at the hearing on Wednesday. Therefore, request is made pursuant to North Dakota Supreme Court Rules of Admission, Admission to Practice Rule 3 that the administrative law judge and/or the commission allow attendance of the nonresident lawyer, lawyer Wiczorek, without the need for the associated attorney.

WHEREFORE, Walmart requests that counsel be allowed to appear telephonically and allow the associated attorney to make an appearance but then be released from having to appear for the whole hearing.

Dated this 6 day of July, 2018.

GUNDERSON, PALMER, NELSON &
ASHMORE, LLP

By: Rebecca L. Mann

Rebecca L. Mann, North Dakota Bar No. 06842

Talbot J. Wiczorek, P02015

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Attorneys for Walmart, Inc.

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CERTIFICATE OF SERVICE

Talbot J. Wieczorek certifies that on the 6th day of July, 2018, he served a true and correct copy of the attached *Motion to Appear Telephonically and without Associated Lawyer* by email, addressed to the following individuals:

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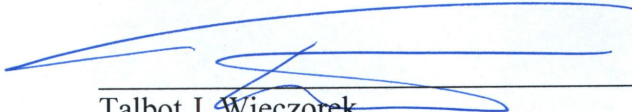
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Talbot J. Wiczorek

Subscribed and sworn to before me this 10th day of July, 2018.



Notary Public – South Dakota



My commission expires: 4.10.2023