

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

Keith and Deanna Kessler,)	Case Nos. PU-20-194
)	OAH File No. 20200211
Complainants/Petitioners,)	
)	
vs.)	KESSLERS' PREHEARING
)	BRIEF
Minnesota Power, a division of ALLETE,)	
Inc.,)	
)	
Respondent.)	

¶1 We believe that if allowed simply to get in all the testimony from the Kesslers as to the history of the structure, without undue objections, we will be able to present our case of the Kesslers in the morning, then obtain the information desired from the Minnesota Power witnesses we are calling in the afternoon, and easily complete our case on the afternoon of the first day. We note, and we consider this significant, that our evidence and the time required will be substantially lessened by the Court denying the motions in limine and allowing us to get in all the facts necessary relating to the structure on the Kessler's property, and leave it to the Post-Trial briefing to determine what facts should be allowed in, thus allowing the PSC to create for the first time the definition of an occupied residence based on ALL the facts relating to the property at issue.

¶2 Dated this 22nd day of March, 2021.



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STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Keith and Deanna Kessler,)	Case Nos. PU-20-194
)	OAH File No. 20200211
Complainants/Petitioners,)	
)	
vs.)	CERTIFICATE OF SERVICE
)	
Minnesota Power, a division of ALLETE,)	
Inc.,)	
)	
Respondent.)	

¶1 I hereby certify that the following document (s):

1. Kesslers' Prehearing Brief.

was served upon the above-named Respondent by serving true and correct copies of the above-listed document on the 22nd day of March, 2021, via email to:

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(email & original and 10 copies
Via hand delivery)

ALJ Timothy J. Dawson
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Office of Administrative Hearings
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(Via email & hand delivery)

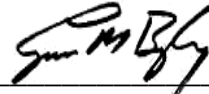
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