



Public Service Commission

State of North Dakota

COMMISSIONERS

Brian Kroshus
Julie Fedorchak
Randy Christmann

600 East Boulevard, Dept. 408
Bismarck, North Dakota 58505-0480
Web: www.psc.nd.gov
E-mail: ndpsc@nd.gov
Phone: 701-328-2400
ND Toll Free: 1-877-245-6685
Fax: 701-328-2410
TDD: 800-366-6888 or 711

22 September 2020

Timothy Dawson, Director
Office of Administrative Hearings
2911 North 14th Street – Suite 303
Bismarck, ND 58503

Re: Nodak Electric Cooperative, Inc.
v. Otter Tail Power Company
Complaint

Case No. PU-20-356

Dear Mr. Dawson:

Enclosed is a request for an Administrative Law Judge for the captioned case. The case is in its early stages, the Complaint has been served but a Notice of Hearing has not yet been issued. When the Notice is issued, we will forward that to your office.

The Administrative Law Judge will serve as a procedural law judge. If you have any questions, please contact me. Thank you.

Best regards,

John Schuh
General Counsel

enclosures

c: w/encl. via email: Kimberly Radermacher (kimrader@radermacherlaw.com)
Paul Sanderson (psanderson@esattorneys.com)



REQUEST FOR ADMINISTRATIVE LAW JUDGE--APPEAL, APPLICATION, OR PETITION
 NORTH DAKOTA OFFICE OF ADMINISTRATIVE HEARINGS
 SFN 17819 (Rev. 06-2007)

Name of Agency, Board, or Commission
 North Dakota Public Service Commission

The above named agency, board, or commission requests designation of an administrative law judge from the Office of Administrative Hearings for the Nodak Electric Cooperative, Inc., vs. Otter Tail Power Company, Complaint PSC Case No. PU-20-356

(e.g., application of [name], appeal of [name], petition of [name]). Authority for the administrative action is found in North Dakota Century Code Chapter 49-22 _____ (North Dakota Century Code and/or North Dakota Administrative Code).

Please attach related documents and correspondence.

The administrative action is more fully described as follows:
 On 29 Sept. 2020 Nodak Electric Cooperative, Inc. filed a Complaint with the Public Service Commission regarding Otter Tail's construction of transmission/distribution lines for a customer in Pembina County, ND alleging violation of N.D.C.C.

It requests designation of an administrative law judge (please check one):

- To conduct the hearing and issue recommended findings of fact, conclusions of law, and order.
- To serve as a procedural administrative law judge only (no recommended decision). The agency head will be present at the hearing as required by NDCC 28-32-31(5). See NDCC 54-57-04.
- To conduct the hearing, issue findings of fact, conclusions of law, and a final order.

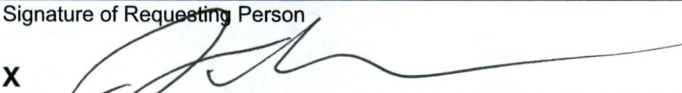
PLEASE MAKE A REQUEST FOR AN ADMINISTRATIVE LAW JUDGE AT LEAST ONE MONTH BEFORE THE HEARING.

Please list parties, including the agency if it is a Party, and Representation [attorney (or other)] if known, or Agency Contact: (Attach separate list if necessary.)

AGENCY See attached	Address	Telephone Number
Representation	Address	Telephone Number
PARTY	Address	Telephone Number
Representation	Address	Telephone Number
PARTY	Address	Telephone Number
Representation	Address	Telephone Number

Additional Comments
 The case is in its early stages, the Complaint has been served but a Notice of Hearing has not yet been issued.
 When the Notice is issued we will forward that to your office.

(For agencies required to use OAH, notice of hearing will be issued by the administrative law judge, unless a procedural administrative law judge is requested. Other requesting agencies and agencies requesting a procedural administrative law judge should first contact OAH about scheduling a hearing. If notice has already been issued, attach a copy of the notice.)

Typed or Printed Name and Title of Requesting Person John Schuh, General Counsel	Date 9/22/2020
Signature of Requesting Person 	Telephone Number (701) 328-2421

X

Attachment
Request for ALJ
22 September 2020

Re: Nodak Electric Cooperative, Inc.
v. Otter Tail Power Company
Complaint

Case No. PU-20-356

AGENCY	Address	Telephone Number
North Dakota Public Service Commission	600 E. Blvd. Ave. Dept. 408 Bismarck, ND 58505-0480	701-328-2400
Representation John Schuh General Counsel Brian Johnson Legal Counsel	Address 600 E. Blvd. Ave. Dept. 408 Bismarck, ND 58505-0480	Telephone Number 01-328-2421 701-328-2407
PARTY Nodak Electric Cooperative, Inc.	Address 4000 32nd Ave S PO Box 13000 Grand Forks, ND 58208-3000	Telephone Number 701-746-4461
Representation Kimberly Radermacher	Address 505 Main St. PO Box 103 Edgeley, ND 58433	Telephone Number 701-883-5125
PARTY Otter Tail Power Company	Address 215 South Cascade Street Fergus Falls, MN 56538-0496	Telephone Number 800-257-4044
Representation Paul Sanderson	Address Evenson Sanderson PC 1100 College Drive, Suite 5 Bismarck, ND 58501	Telephone Number 701-751-1243