

Hamre, John G.

From: Chanda Fredericks <CFredericks@esattorneys.com>
Sent: Friday, August 13, 2021 4:03 PM
To: -Info-Public Service Commission; Dawson, Timothy J.; Hamre, John G.; Johnson, Brian L.; Schuh, John M.; Steven C Ekman; paul@stevenekmanlaw.com; office@stevenekmanlaw.com; kimrader@radermacherlaw.com
Cc: Paul Sanderson
Subject: NOTICE OF APPEAL - Nodak Electric Cooperative, Inc. v. Otter Tail Power Company - PU-20-356
Attachments: Notice of Otter Tail's Appeal and AES.pdf

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All,

Attached please find the following documents for filing and service in the above-mentioned matter:

- 1. Otter Tail Power Company's Notice of Cross Appeal and Specification of Error; and**
- 2. Affidavit of Electronic Service.**

Thank you,

Chanda Fredericks, CP
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STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF BURLEIGH

SOUTH CENTRAL JUDICIAL DISTRICT

CIVIL NO: 08-2021-CV-01508

Nodak Electric Cooperative, Inc.,)
)
 Appellant,)
)
 vs.)
)
 North Dakota Public Service)
 Commission, Otter Tail Power)
 Company, and City of Drayton,)
)
 Appellees, and)
 Cross-Appellants.)
)

**NOTICE OF CROSS-APPEAL
AND SPECIFICATIONS OF ERROR**

TO: NORTH DAKOTA PUBLIC SERVICE COMMISSION, NODAK ELECTRIC COOPERATIVE, INC., AND CITY OF DRAYTON.

[1] Please take notice that Cross-Appellant Otter Tail Power Company (“Otter Tail”) appeals to the District Court for Burleigh County, South Central Judicial District, from the FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER of the North Dakota Public Service Commission issued July 14, 2021.

[2] Otter Tail specifies the following error as the ground for appeal, the Commission’s Order denying Otter Tail’s Motion to Dismiss is not in accordance with the law.

Dated this 13th day of August, 2021.

EVENSON SANDERSON PC
Attorneys for Otter Tail Power Company
1100 College Drive, Suite 5 Bismarck, ND 58501
Telephone: 701-751-1243
psanderson@esattorneys.com

By: 
Paul R. Sanderson (ID# 05830)

STATE OF NORTH DAKOTA

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 Company, and City of Drayton,)
)
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AFFIDAVIT OF ELECTRONIC SERVICE

The undersigned, being duly sworn, deposes and says that: I am a United States citizen, over 18 years of age, and on August 13, 2021, a true and correct copy of:

Notice of Cross-Appeal and Specifications of Error

was filed and served electronically to each person named below, at the electronic address stated below:

Executive Secretary
 ND Public Service Commission
ndpsc@nd.gov

ALJ Timothy J. Dawson
 Administrative Law Judge
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By: /s/ Paul Sanderson
 Paul R. Sanderson (ID# 05830)