

Hamre, John G.

From: efilmingmail@tylerhost.net
Sent: Tuesday, September 14, 2021 10:36 AM
To: Hamre, John G.
Subject: Filing Accepted for Case: 08-2021-CV-01508; Nodak Electric Cooperative, Inc. vs. North Dakota Public Service Commission, et al.; Envelope Number: 4451974

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Filing Accepted

Envelope Number: 4451974

Case Number: 08-2021-CV-01508

Case Style: Nodak Electric Cooperative, Inc. vs. North Dakota Public Service Commission, et al.



The filing below was reviewed and has been accepted by the clerk's office. You may access the file stamped copy of the document filed by clicking on the below link.

| Filing Details | |
|----------------------------|---|
| Court | Burleigh County - South Central District |
| Case Number | 08-2021-CV-01508 |
| Case Style | Nodak Electric Cooperative, Inc. vs. North Dakota Public Service Commission, et al. |
| Date/Time Submitted | 9/13/2021 4:09 PM CST |
| Date/Time Accepted | 9/14/2021 10:35 AM CST |
| Accepted Comments | |
| Filing Type | Exhibit |
| Filing Description | CR Exhibit 7 Request for Administrative Law Judge |
| Activity Requested | EFileAndServe |
| Filed By | John Hamre |
| Filing Attorney | John Schuh |

| Document Details | |
|--|--|
| Lead Document | 7 - CR Exhibit 7 Request for Administrative Law Judge.pdf |
| Lead Document Page Count | 3 |
| File Stamped Copy | View Stamped Document |
| This link is active for 30 days. If the link above is not accessible, copy this URL into your browser's address bar to view the document: https://northdakota.tylerhost.net/ViewDocuments.aspx?FID=83198393-ed0-4ece-9b24-466c80d884ba | |

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North Dakota Court's Information Technology Department 701-328-4218
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Public Service Commission
State of North Dakota

COMMISSIONERS

Brian Kroshus
Julie Fedorchak
Randy Christmann

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Bismarck, North Dakota 58505-0480
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ND Toll Free: 1-877-245-6685
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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,

A handwritten signature in black ink, appearing to read "John Schuh".

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.

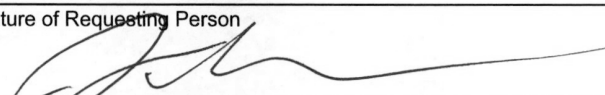
PLEASE MAKE A REQUEST FOR AN ADMINISTRATIVE LAW JUDGE AT LEAST ONE MONTH BEFORE THE HEARING.

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 |