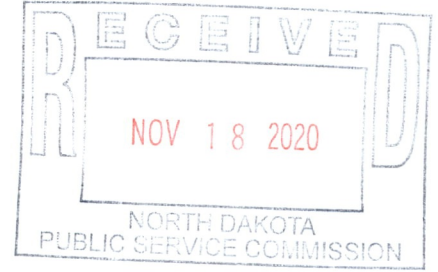


STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION



Montana-Dakota Utilities Co.
2020 Natural Gas Rate Increase Application

Case No. PU-20-379
OAH File No. 20200318

ORDER ON PETITION TO INTERVENE

On November 3, 2020, David A. Tschider, Attorney at Law, Bismarck, North Dakota submitted a Petition to Intervene of AARP. The Petitioners are a group with over 84,000 members in North Dakota, many whom are residential natural gas customers of Montana-Dakota Utilities Co. (MDU).

North Dakota Century Code § 28-32-28 addresses intervention in adjudicative proceedings and provides as follows:

An administrative agency may grant intervention in an adjudicative proceeding to promote the interests of justice if intervention will not impair the orderly and prompt conduct of the proceeding and if the petitioning intervenor demonstrates that the petitioner's legal rights, duties, privileges, immunities, or other legal interests may be substantially affected by the proceeding or that the petitioner qualifies as an intervenor under any provision of statute or rule. The agency may impose conditions and limitations upon intervention. The agency shall give reasonable notice of the intervention to all parties. An administrative agency may adopt rules relating to intervention in an adjudicative proceeding.

The North Dakota Public Service Commission ("Commission") has adopted its own rules relating to intervention. The Commission's rule on intervention provides in part:

Any person with a substantial interest in a proceeding may petition to intervene in that proceeding by complying with this section. An intervention may be granted if the petitioner has a statutory right to be a party to the proceeding; or the petitioner has a legal interest which may be substantially affected by the proceeding, and the intervention would not unduly broaden the issues or delay the proceeding. The commission may impose conditions and limitations on an intervention to promote the interests of justice.

...

Contents of petition to intervene. A petition to intervene must be in writing and must set forth the grounds for intervention, the position and interest of the petitioner in the proceeding, what the petitioner would contribute to the hearing, and whether the petitioner's position is in support of or in opposition to the relief sought.

N.D. Admin. Code § 69-02-02-05.

The Petition sets forth clear grounds for intervention. The participation of AARP would serve the public interest. AARP represents the interests of individuals over 50 years of age who would be substantially affected by an increase in residential gas rates. The participation of AARP would not unduly delay the proceedings nor prejudice the rights of other parties.

The Petitioner has presented sufficient information to satisfy the statutory intervention requirements set forth in N.D.C.C. § 28-32-28 and N.D. Admin. Code 69-02-02-05.

Having considered the written submission of the Petitioner, it is hereby ORDERED that the Petition to Intervene of AARP in PSC Case No. PU-20-379 is GRANTED.

Dated at Bismarck, North Dakota, this 17th day of November 2020.

State of North Dakota
Public Service Commission

By: 

Timothy J. Dawson
Administrative Law Judge
Office of Administrative Hearings
2911 North 14th Street – Suite 303
Bismarck, North Dakota 58503
Telephone: (701) 328-3200

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Montana -Dakota Utilities Co.
2020 Natural Gas Rate Increase Application

Case No. PU-20-379
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CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the **ORDER ON PETITION TO INTERVENE** was mailed, regular mail, on the 17 day of November 2020, to:

David A. Tschider
Tschider & Smith
P O Box 754
Bismarck, ND 58502-0754

John B. Coffman
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871 Tuxedo Boulevard
St. Louis, MO 63119-2044

Karl Liepitz
MDU Resources Group, Inc.
P O Box 5650
Bismarck, ND 58506-5650

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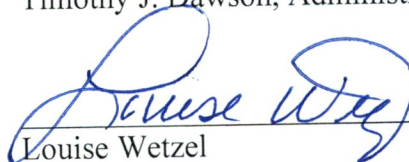
and that a true and correct copy of the above document was mailed, inside mail, at the State Capitol on the 17 day of November 2020, to:

John Schuh
General Counsel
Public Service Commission
600 East Boulevard Avenue
Bismarck, ND 58505-0480

and that the original of the above document was mailed, inside mail, at the State Capitol on the 17 day of November 2020, to:

John Hamre
Public Service Commission
600 East Boulevard Avenue
Bismarck, ND 58505-0480

OFFICE OF ADMINISTRATIVE HEARINGS
Timothy J. Dawson, Administrative Law Judge


Louise Wetzel