

**STATE OF NORTH DAKOTA**  
**PUBLIC SERVICE COMMISSION**

Northern States Power Company  
2021 Electric Rate Increase  
Application

Case No. PU-20-441

**ORDER GRANTING PETITION TO INTERVENE BY WALMART INC.**

**OAH FILE Nos. 20200422**

[1] On January 25, 2021, Attorney Julie A. Clark, on behalf of the Walmart Inc., filed a Petition to Intervene.

[2] North Dakota Century Code § 28-32-28 addresses intervention in adjudicative proceedings and provides:

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.

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

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.

...

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.

[4] The applicant, Northern States Power Company, does not object to the intervention of Walmart Inc. The Public Service Commission does not object to the intervention of Walmart Inc.

[5] The petition sets forth the grounds for intervention, the position and interest of Walmart Inc., what it can contribute to the hearing and its position with respect to the relief sought by the applicant. Walmart, Inc. has presented sufficient information to satisfy the statutory intervention requirements set forth in N.D.C.C. § 28-32-28 and the Commission's rules on intervention.

[6] Since there is no opposition to the petition and having considered the written submission of Walmart, Inc., the applicable statutory provisions and administrative rules.

**IT IS HEREBY ORDERED:**

[7] The Petition to Intervene by Walmart Inc. is **GRANTED**.

[8] Walmart Inc. shall be permitted to appear as intervenors in PSC Case No. PU-20-441.

Dated at Bismarck, North Dakota, this 3 day of February 2021.

State of North Dakota  
Public Service Commission

By



Hope L Hogan  
Administrative Law Judge  
Office of Administrative Hearings  
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**CERTIFICATE OF SERVICE**

**OAH File No. 20200422**

The undersigned certifies that the original of the **ORDER GRANTING PETITION TO INTERVENE BY WALMART INC.** was sent by electronic mail and mailed, inside mail, at the State Capitol, on the 3 day of February 2021, to:

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and that true and correct copies of the above document were sent by electronic mail, and mailed, regular mail, on the 3 day of February 2021, to:

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