

STATE OF NORTH DAKOTA

PUBLIC SERVICE COMMISSION

Otter Tail Power Co/Northern Plains Electric Coop  
Jamestown, North Dakota  
Service Area Agreement

Case No. PU-21-364

Otter Tail Power Company  
Jamestown, North Dakota  
Public Convenience & Necessity

Case No. PU-21-365

AFFIDAVIT OF SERVICE BY CERTIFIED MAIL

STATE OF NORTH DAKOTA  
COUNTY OF BURLEIGH

**Geralyn R. Schmaltz** deposes and says that:

she is over the age of 18 years and not a party to this action and, on the **24th day of September 2021** she deposited in the United States Mail at Bismarck, North Dakota, **one** envelope with certified postage, return receipt requested, fully prepaid, securely sealed and containing a photocopy of:

- **Order on Electric Service Area Agreement and Certificate of Public Convenience and Necessity**

And Original Of:

- **Certificate of Public Convenience and Necessity Certificate Number 5961**

The envelope was addressed as follows:

Cary Stephenson  
Associate General Counsel  
Otter Tail Power Company  
PO Box 496  
Fergus Falls, MN 56538-0496  
**Cert. No. 7020 2450 0000 1344 2246**

**Geralyn R. Schmaltz** further deposes and says that on the **24th day of September 2021**, she deposited in the United States Mail, Bismarck, North Dakota, **one** envelope

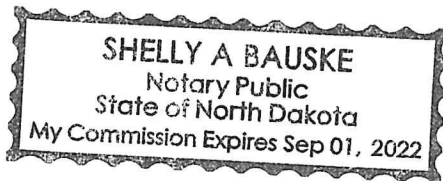
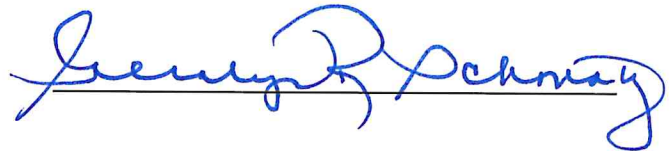
with certified postage, return receipt requested, fully prepaid, securely sealed and containing a photocopy of the same.

The envelope was addressed as follows:

J. Bruce Gibbens  
General Counsel  
Northern Plains Electric Cooperative  
PO Box 608  
Cando, ND 58324-0608  
**Cert. No. 7020 2450 0000 1344 2253**

Each address shown is the respective addressee's last reasonably ascertainable post office address.

Subscribed and sworn to before me  
this **24th day of September 2021**.



SEAL



Notary Public

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

**Otter Tail Power Co/Northern Plains Electric Coop  
Jamestown, North Dakota  
Service Area Agreement**

**Case No. PU-21-364**

**Otter Tail Power Company  
Jamestown, North Dakota  
Public Convenience & Necessity**

**Case No. PU-21-365**

**ORDER ON ELECTRIC SERVICE AREA AGREEMENT AND CERTIFICATE OF  
PUBLIC CONVENIENCE AND NECESSITY**

**September 22, 2021**

**Preliminary Statement**

On August 9, 2021, Otter Tail Power Company (OTP) and Northern Plains Electric Cooperative (NPEC) filed a joint application for approval of a Service Area Agreement (SAA) to designate electric service locations to be served by OTP and NPEC within and around the City of Jamestown, North Dakota. OTP further requests issuance of a Certificate of Public Convenience and Necessity (CPCN) authorizing it to extend service to locations within the OTP service area set forth in the agreement.

On August 18, 2021, the Commission issued a Notice of Opportunity for Consolidated Hearing, which provided until September 17, 2021, for receiving written comments or hearing requests. No response was received. The notice identified the issues to be considered in this proceeding are:

1. Whether the SAA complies with North Dakota Century Code (NDCC) section 49-03-06.
2. Whether the approval of the SAA and resulting CPCN issuance are compatible with the public interest.

On September 1, 2021, the Commission discussed this matter with OTP, NPEC and Commission staff during an Informal Hearing.

**Discussion**

The applicants contend that the agreement will:

1. Avoid misunderstanding and disagreement over areas to be served by each party,
2. Accomplish the legislative intent of N.D.C.C. section 49-03-06 to encourage harmony and operational efficiency among electric providers, promote safety,

discourage unreasonable duplication of electric facilities, assure adequate and reliable electric service and provide antitrust immunity to the electric providers, and

3. Provide both parties with equitable participation in the provision of electric distribution service in areas within and around the city of Jamestown during the term of the agreement.

Having considered this matter the Commission finds that the SAA complies with NDCC section 49-03-06, and that approval of the SAA and issuance of a CPCN is compatible with the public interest. Therefore, the Commission issues the following:

### Order

The Commission Orders:

1. The electric service area agreement filed jointly by Otter Tail Power Company and Northern Plains Electric Cooperative is APPROVED.
2. Otter Tail Power Company is issued Certificate of Public Convenience and Necessity No. 5961 authorizing the provision of electric service to customers within the agreed upon electric service area around the city of Jamestown.

### PUBLIC SERVICE COMMISSION

  
Randy Christmann  
Commissioner

  
Julie Fedorchak  
Chair

  
Brian Kroshus  
Commissioner

**PUBLIC SERVICE COMMISSION  
STATE OF NORTH DAKOTA**

**Certificate of Public Convenience and Necessity  
Certificate Number 5961**

*This is to certify that public convenience and necessity require, and permission is granted for Otter Tail Power Company to serve APLD Hosting LLC in the East ½ of the Southeast ½ of Section 17, Township 141N, Range 63W, Stutsman County, North Dakota.*

*This certificate is issued in accordance with the Commission's September 22, 2021 Order in Case No. PU-21-365 and is subject to the conditions and limitations noted in the Order, and is conditioned upon Otter Tail Power Company securing the franchise or other authority of the proper municipal or other public authority for the exercise of these rights and privileges.*

*Bismarck, North Dakota, September 22, 2021*

**ATTEST:**

**PUBLIC SERVICE COMMISSION**

  
\_\_\_\_\_  
**Executive Secretary**

  
\_\_\_\_\_  
**Commissioner**