

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Northern States Power Company
2021 National Gas Rate Increase
Application

Case No. PU-21-381

ORDER GRANTING PETITION TO INTERVENE OF AARP

OAH FILE No. 20210357

[1] On February 9, 2021, Attorney David A. Tschider, on behalf of the American Association of Retired Persons (AARP) 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 AARP. The Public Service Commission does not object to the intervention of AARP.

[5] The petition sets forth the grounds for intervention, the position and interest of AARP, what it can contribute to the hearing and its position with respect to the relief sought by the applicant. AARP 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 AARP, the applicable statutory provisions and administrative rules.

IT IS HEREBY ORDERED:

[7] The Petition to Intervene of AARP is **GRANTED**.

[8] AARP shall be permitted to appear as intervenors in PSC Case No. PU-21-381.

Dated at Bismarck, North Dakota, this 14 day of February 2022.

State of North Dakota
Public Service Commission

By Hope L Hogan
Hope L Hogan
Administrative Law Judge
Office of Administrative Hearings
2911 North 14th Street – Suite 303
Bismarck, North Dakota 58503
Telephone: (701) 328-3200

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PUBLIC SERVICE COMMISSION

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CERTIFICATE OF SERVICE

OAH File No. 20210357

The undersigned certifies that the original of the **ORDER GRANTING PETITION TO INTERVENE OF AARP** was mailed, inside mail, at the State Capitol, on the 14 day of February 2022, to:

John Hamre
Public Service Commission
600 East Boulevard Avenue, Dept. 408
Bismarck, ND 58505-0480

and that true and correct copies of the above document were mailed, regular mail, on the 14 day of February 2022, to:

Zev Simpser
Dorsey & Whitney LLP
50 South Sixth Street, Suite 1500
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David A. Tschider
418 E Rosser Ave, Suite 200
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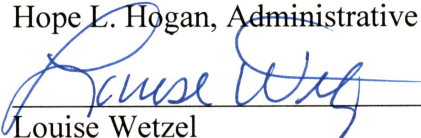
John B. Coffman LLC
871 Tuxedo Boulevard
St. Louis, MO 63119-2044

and that a true and correct copy of the above document was mailed, inside mail, at the State Capitol on the 14 day of February 2022, to:

Brian Johnson
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OFFICE OF ADMINISTRATIVE HEARINGS
Hope L. Hogan, Administrative Law Judge



Louise Wetzel