



# Public Service Commission

## State of North Dakota

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### COMMISSIONERS

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24 March 2023

Timothy Dawson, Director  
Office of Administrative Hearings  
2911 North 14th Street – Suite 303  
Bismarck, ND 58503

Re:  
Otter Tail Power Company  
Advance Prudence - Astoria Fuel Inventory System  
Case No. PU-23-66

Dear Mr. Dawson:

Enclosed is a request for an Administrative Law Judge for the captioned case. The Commission has not yet issued a Notice of Hearing. When a Notice is issued, we will forward it to your office.

The Administrative Law Judge will serve as a procedural law judge and the hearing will be electronically recorded.

If you have any questions, please contact me. Thank you.

Best regards,

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

John Schuh  
General Counsel

enclosures

c: w/encl. Cary Stephenson ([cstephenson@otpc.com](mailto:cstephenson@otpc.com))  
Nathan Jensen ([njensen@otpc.com](mailto:njensen@otpc.com))  
Regulatory Filing Coordinator ([regulatory\\_filing\\_coordinators@otpc.com](mailto:regulatory_filing_coordinators@otpc.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 Otter Tail Power Company's Advance Prudence - Astoria Fuel Inventory System  
Application, PSC Case No. PU-23-66

(e.g., application of [name], appeal of [name], petition of [name]). Authority for the administrative action is found in North Dakota Century Code Chapter 49-05 (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 8 Feb. 2023, Otter Tail Power Company filed an Application for Advance Determination of Prudence for a proposed development, ownership, and operation of an onsite fuel inventory system at Astoria Station generation facility in SD.

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.

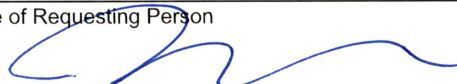
**PLEASE MAKE A REQUEST FOR AN ADMINISTRATIVE LAW JUDGE AT LEAST ONE MONTH BEFORE THE HEARING.**

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  
 A Notice of Hearing has not yet been issued. We will forward the Notice to you once it is available.

(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 3/24/2023
Signature of Requesting Person 	Telephone Number (701) 328-2421

X

Attachment  
Request for ALJ  
24 March 2023

Re:  
Otter Tail Power Company  
Advance Prudence - Astoria Fuel Inventory System  
Case No. PU-23-66

<b>AGENCY</b>	<b>Address</b>	<b>Telephone Number</b>
North Dakota Public Service Commission	600 E. Blvd. Ave. Dept. 408 Bismarck, ND 58505-0480	701-328-2400
<b>Representation</b> John Schuh General Counsel	<b>Address</b> Same as above	<b>Telephone Number</b> 701-328-2421
<b>PARTY</b> Otter Tail Power Company	<b>Address</b> 215 S. Cascade Street Fergus Falls, MN 56538-0496	<b>Telephone Number</b> 218-739-8200
<b>Representation</b> Cary Stephenson Associate General Counsel	<b>Address</b> Otter Tail Power Company 215 S. Cascade Street Fergus Falls, MN 56538-0496	<b>Telephone Number</b> 218-739-8200