



# Public Service Commission

## State of North Dakota

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### COMMISSIONERS

Randy Christmann  
Sheri Haugen-Hoffart  
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13 June 2023

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

Re:  
Northern States Power Company  
Advance Prudence – Sherco Solar 3 Project  
Case No. PU-23-182

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 black ink, appearing to read "John Schuh".

John Schuh  
General Counsel

enclosures

c: w/encl. Alex Nisbet ([alex.J.Nisbet@xcelenergy.com](mailto:alex.J.Nisbet@xcelenergy.com))  
Christine Schwartz ([regulatory.records@xcelenergy.com](mailto:regulatory.records@xcelenergy.com))  
Zeviel Simpser ([simpser.zev@dorsey.com](mailto:simpser.zev@dorsey.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 Northern States Power Company, Advance Prudence - Sherco Solar 3 Project  
PSC Case Number PU-23-182

(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 19 May 2023 Northern States Power Company filed an Advance Determination of Prudence for a 250 MW grid-scale solar photovoltaic project to be developed in the vicinity of the Sherburne County generation facility site (Sherco Solar 3 Project).

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.

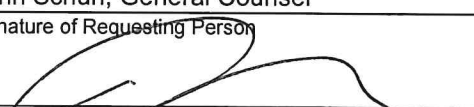
**PLEASE MAKE A REQUEST FOR AN ADMINISTRATIVE LAW JUDGE AT LEAST ONE MONTH BEFORE THE HEARING.**

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<br>See Attached | Address              | Telephone Number |
| Representation         | Address              | Telephone Number |
| PARTY                  | Address              | Telephone Number |
| Representation         | Address              | Telephone Number |
| PARTY                  | Address              | Telephone Number |
| Representation         | Address<br>undefined | Telephone Number |

Additional Comments  
 A Notice of Hearing has not yet been issued. When a Notice is issued we will forward it to your office.  
 undefined

(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<br>John Schuh, General Counsel                                   | Date<br>6/13/2023                  |
| Signature of Requesting Person<br> | Telephone Number<br>(701) 328-2421 |

Attachment  
Request for ALJ  
13 June 2023

Re:  
Northern States Power Company  
Advance Prudence – Sherco Solar 3 Project  
Case No. PU-23-182

| <b>AGENCY</b>  | <b>Address</b>  | <b>Telephone Number</b>                 |
|--|---|---|
| North Dakota Public Service Commission   | 600 E. Blvd. Ave. Dept. 408<br>Bismarck, ND 58505-0480  | 701-328-2400                            |
| <b>Representation</b><br>John Schuh<br>General Counsel                                     | <b>Address</b><br>Same as above   | <b>Telephone Number</b><br>701-328-2421 |
| <b>Representation</b><br>Brian Johnson, Advocacy<br>Staff Counsel (pending<br>appointment) | <b>Address</b><br>Same as above   | <b>Telephone Number</b><br>701-328-2407 |
| <b>PARTY</b><br>Northern States Power<br>Company   | <b>Address</b><br>2302 Great Northern Drive<br>Fargo, ND 58102                                      | <b>Telephone Number</b><br>701-241-8632 |
| <b>Representation</b><br>Zeviel Simpser  | <b>Address</b><br>Dorsey & Whitney, LLP<br>50 S. Sixth St., Ste. 1500<br>Minneapolis, MN 55402-1498 | <b>Telephone Number</b><br>612-492-6129 |