

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

**Otter Tail Power Company
Tiered Large General Service
Tariff and Rates**

Case No. PU-26-215

**ORDER GRANTING PETITION FOR INTERVENTION AND ADMISSION PRO HAC
VICE OF DAVID R. ZOPPO**

September 23, 2026

I. Petition for Intervention

On August 28, 2026, Geronimo Power, LLC (hereinafter referred to as "Intervenor"), filed a Petition for Intervention in the above referenced case.

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.

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.

1. Contents of petition to intervene. 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.

The Petition sets forth the grounds for intervention, the position and interest of the Intervenor, what the Intervenor can contribute to the hearing and the Intervenor's positions with respect to the relief sought by the applicant. The Intervenor has presented sufficient information to satisfy the statutory intervention requirements set forth in N.D.C.C. § 28-32-28 and N.D. Admin. Code § 69-02-02-05.

Having considered the written submission of the Intervenor and the applicable statutory provisions and administrative rules, **IT IS HEREBY ORDERED:**

The Petition to Intervene of Geronimo Power, LLC is **GRANTED**.

Geronimo Power, LLC shall be permitted to appear as an Intervener in PSC Case No. PU-26-215.

II. Admission *Pro Hac Vice* of David Zoppo

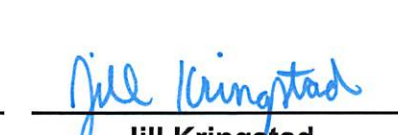
Under North Dakota Rules of Admission to Practice Rule 3, a motion has been filed seeking the admission pro hac vice of David Zoppo, to appear and participate in the above-captioned matter on behalf of Geronimo Power, LLC. The motion lists Jacob Baer (ND Bar ID 07092) as associate counsel.

Having considered the motion, it is determined that Mr. Zoppo has met the requirements of Rule 3 of the Admission to Practice Rules for admission *pro hac vice* before the North Dakota Public Service Commission in the above-captioned case. Accordingly, Mr. Zoppo's motion is **GRANTED**.

IT IS HEREBY ORDERED That David R. Zoppo may practice in North Dakota before the Public Service Commission representing Geronimo Power, LLC in PSC Case No. PU 26-215.

Jacob Baer shall serve as associate attorney.

PUBLIC SERVICE COMMISSION

		
Sheri Haugen-Hoffart	Randy Christmann	Jill Kringstad
Commissioner	Chair	Commissioner