

**Individual Report for Docket Number : CIV06-399**

**Docket Title:**

IN THE MATTER OF OTTER TAIL POWER COMPANY ON BEHALF OF BIG STONE II CO-OWNERS FOR AN ENERGY CONVERSION FACILITY PERMIT FOR THE CONSTRUCTION OF THE B I G STONE II PROJECT

**Open Date :** 09/25/2006

**Close Date :** 02/27/2007

**Days Open :** 155

**Filing Type :**

CIV

**Tax ID # :**

41-0462685

**Attorney :**

JS

**Staff :**

**Primary Appeal Information**

**Appeal Date :** 09/25/200

**Appellant :**

**Decision Date :**

**Appeal Location :** Civ. 06-399 Hughes County Sixth Circuit Court

**Current Status :**

**Description of Above Decision :**

**Secondary Appeal Information**

**Appeal Date :**

**Appellant :**

**Decision Date :**

**Appeal Location :**

**Current Status :**

**Description of Above Decision :**

IN THE MATTER OF OTTER TAIL POWER COMPANY ON BEHALF OF BIG STONE II CO-OWNERS FOR AN ENERGY CONVERSION FACILITY PERMIT FOR THE CONSTRUCTION OF THE B I G STONE II PROJECT  
Filed 09-25-2006; Pending.

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### Docket Notes :

09/25/06 - Letter and Notice of Appeal of Decision of South Dakota Public Utilities Commission - M:/PUC/WEB/Internet/commission/dockets/civil/2006/civ06-399/appeal.pdf

09/25/06 - Affidavit of Service by U.S. Mail - M:/PUC/WEB/Internet/commission/dockets/civil/2006/civ06-399/affidavit.pdf

10/02/06 - Letters, Statement of Issues on Appeal and Affidavit of Service by U.S. Mail - M:/PUC/WEB/Internet/commission/dockets/civil/2006/civ06-399/STATEMENTOFISSUES.pdf

10/11/06 - Letter and Appellee's Additional Statement of Issues on Appeal - M:/PUC/WEB/Internet/commission/dockets/civil/2006/civ06-399/appelleesstatement.pdf

10/26/06 - Letter and Certificate of Service - M:/PUC/WEB/Internet/commission/dockets/civil/2006/civ06-399/ltr102606.pdf

10/26/06 - Chronological Index - M:/PUC/WEB/Internet/commission/dockets/civil/2006/civ06-399/chronicallyindex.pdf

10/26/06 - Alphabetical Index - M:/PUC/WEB/Internet/commission/dockets/civil/2006/civ06-399/alphaindex.pdf

11/22/06 - Letters and Brief of Minnesota Center for Environmental Advocacy, Fresh Energy, Izaak Walton League and Union of Concerned Scientists - M:/PUC/WEB/Internet/commission/dockets/civil/2006/civ06-399/briefdavidson.pdf

12/06/06 - Order Appointing Substitute Judge - M:/PUC/WEB/Internet/commission/dockets/civil/2006/civ06-399/ordersubstitute.pdf

12/21/06 - Stipulation to Extend Time to Serve Briefs - M:/PUC/WEB/Internet/commission/dockets/civil/2006/civ06-399/stipulation122106.pdf

12/21/06 - Order Granting Extension of Time to Serve Briefs - M:/PUC/WEB/Internet/commission/dockets/civil/2006/civ06-399/order122106.pdf

01/05/07 - Letters and Brief of Appellee South Dakota Public Utilities Commission - M:/PUC/WEB/Internet/commission/dockets/civil/2006/civ06-399/brief.pdf

01/08/07 - Letter and Appellee's Brief - M:/PUC/WEB/Internet/commission/dockets/civil/2006/civ06-399/ltr010807.pdf

01/16/07 - Letter and Corrected Page 23 to Appellee's Brief - M:/PUC/WEB/Internet/commission/dockets/civil/2006/civ06-399/ltr011607.pdf

01/19/07 - Letter and Proposed Order for Oral Argument - M:/PUC/WEB/Internet/commission/dockets/civil/2006/civ06-399/ltr011907.pdf

01/25/07 - Letter from John Davidson - M:/PUC/WEB/Internet/commission/dockets/civil/2006/civ06-399/ltr012507.pdf

01/25/07 - Affidavit of Janette K. Brimmer in Support of Motion that she be Admitted Pro Hac Vice - M:/PUC/WEB/Internet/commission/dockets/civil/2006/civ06-399/aff3012507.pdf

01/25/07 - Affidavit of John H. Davidson in Support of the Motion to Admit Janette K. Brimmer Pro Hac Vice - M:/PUC/WEB/Internet/commission/dockets/civil/2006/civ06-399/aff2012507.pdf

01/25/07 - Affidavit of Service - M:/PUC/WEB/Internet/commission/dockets/civil/2006/civ06-399/aff012507.pdf

01/26/07 - Letter and Reply Brief of Minnesota Center for Environmental Advocacy, Fresh Energy, Izaak Walton League and Union of Concerned Scientists - M:/PUC/WEB/Internet/commission/dockets/civil/2006/civ06-399/012607.pdf

02/27/06 - Judgment of Affirmance - M:/PUC/WEB/Internet/commission/dockets/civil/2006/civ06-399/022707.pdf

02/27/07 - Letters and Notice of Entry of Judgment - M:/PUC/WEB/Internet/commission/dockets/civil/2006/civ06-399/entry022707.pdf

02/27/07 - Docket Closed - M:/PUC/WEB/Internet/commission/dockets/civil/2006/civ06-399/close.pdf

04/03/07 - Transcript of Oral Argument - M:/PUC/WEB/Internet/commission/dockets/civil/2006/civ06-

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399/transcript040307.pdf

04/04/07 - Letter, Order for Transcript and Affidavit of Service -

M:/PUC/WEB/Internet/commission/dockets/civil/2006/civ06-399/040407.pdf

02/07/08 - Letter from Laura J. Graves to Hughes County Clerk of Courts -

M:/PUC/WEB/Internet/commission/dockets/Civil/2006/CIV06-399/ltr020708.pdf

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### **Docket Synopsis :**

EL05-022;Received Notice of Appeal of Decision of South Dakota Public Utilities Commission on 9/25/06  
Received Statement of Issues on Appeal and Affidavit of Service by U.S. Mail on 10/2/06  
Received Appellee's Additional Statement of Issues on Appeal on 10/11/06;Filed and Served Chronological Index, Alphabetical Index and Certificate of Service on 10/16/06;Received Brief of Minnesota Center for Environmental Advocacy, Fresh Energy, Izaak Walton Leage and Union of Concerned Scientists on 11/22/06;Received Order Appointing Substitute Judge on 12/06/06;Filed Stipulation to Extend Time to Serve Briefs and Order Granting Extension of Time to Serve Briefs on 12/21/06;Served Brief of Appellee South Dakota Public Utilities Commission on 1/5/07;Received Appellee's Brief on 1/8/07;Received Proposed Order for Oral Argument on 1/19/07;Received Affidavit of Janette K. Brimmer in Support of Motion that she be Admitted Pro Hac Vice, Affidavit of John H. Davidson in Support of the Motion to Admit Janette K. Brimmer Pro Hac Vice and Affidavit of Service on 1/25/07;Received Reply Brief of Minnesota Center for Environmental Advocacy, Fresh Energy, Izaak Walton League and Union of Concerned Scientists on 1/26/07;Judgment of Affirmance Entered on 2/27/07;Sent Notice of Entry of Judgment on 2/27/07  
03/28/07 - S.Ct.No.24485