

**STATE OF MINNESOTA
BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION**

Date of Request: January 13, 2006

Requested By: Elizabeth Goodpaster
Minnesota Center for Environmental Advocacy (MCEA)
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Attorney for Izaak Walton League of America – Midwest Office (IWLA), Minnesotans for an Energy-Efficient Economy (ME3), Union of Concerned Scientists (UCS), Wind on the Wires (WOW) and Minnesota Center for Environmental Advocacy (MCEA)

Request Due: January 23, 2006

**In the Matter of the Application for a
Certificate of Need for Transmission Lines
In Western Minnesota**

**Docket No. ET-6131, ET-2, ET-
6130, E-252, ET-10, ET-6444, E-
017, ET9/CN-05-619**

INFORMATION REQUEST NOS. 3-24 OF ME3, IWLA, UCS, WOW, and MCEA TO
BIG STONE II CO-OWNERS

*** Please note that many of these information requests refer to Big Stone Co-owners' responses to the First Amended Set of Interrogatories and Requests for Production of Documents that ME3, IWLA, UCS and MCEA served in South Dakota PUC Docket EL05-022. Big Stone Co-owners incorporated by reference their responses to that discovery in this docket through their response to Information Request No. 2 of ME3, IWLA, UCS, WOW, and MCEA.*

3. Please provide copies of your responses to the Third Sets of Interrogatories and Requests for Production of Documents served upon Big Stone II Co-owners in South Dakota Public Utilities Commission Docket No. EL05-022, by ME3, IWLA, UCS and MCEA. For your reference, the Third Sets of Interrogatories and Requests for Production of Documents are attached hereto.

4. Refer to Heartland Consumer Power District's (HCPD) response to ME3/IWLA/UCS/MCEA Amended First Set of Interrogatories, South Dakota PUC Docket EL05-022, Interrogatory No. 24.

- a) Explain in detail what HCPD means by the statement "for Heartland's evaluation, not all resources were measured 'against' Big Stone II."

Page 23 states, "The capacity costs associated with the Big Stone coal-fired resource are projected to be significantly higher than the projected market price of capacity during the period 2008 to 2015. This indicates that it would not be likely that UP could sell surplus Big Stone capacity to the market and recoup the associated carrying costs."

- a) Does CMMPA agree with this statement? If so, explain why CMMPA has chosen to acquire a portion of Big Stone II.
 - b) If the answer to a) is no, provide the study or evidence that establishes the basis for the selection of Big Stone II as the most cost-effective means of meeting the energy needs of CMMPA's members.
13. Provide a copy of all DSM potential or market studies prepared by or on behalf of CMMPA or any of its members acquiring capacity in Big Stone II since January 1, 2001.
14. Refer to CMMPA's Response to ME3/IWLA/UCS/MCEA Amended First Set of Interrogatories, South Dakota PUC Docket EL05-022, Interrogatory No. 14, as corrected by email correspondence on December 28, 2005. Please identify what specific portions of Exhibit 7-6, *Generation Resource Planning Study* provide evidence of CMMPA's need for baseload capacity.
15. Refer to Exhibit 7-6, *Generation Resource Planning Study* completed in April 2002, attached to ME3/IWLA/UCS/MCEA Amended First Set of Interrogatories, South Dakota PUC Docket EL05-022, Interrogatory No. 7.
- a) Does CMMPA believe that this study is CMMPA's best estimate of its need for long-term capacity and energy? If not, explain why not and provide CMMPA's best estimate of long-term capacity and energy needs.
 - b) If the answer to a) is yes, please explain how the forecasted deficit of capacity in the *Generation Resource Planning Study* on page 9 for both Heartland Consumer Power District (HCPD) and CMMPA can be reconciled with the 2005 MAPP Load & Capability Forecast which forecasts capacity surpluses for CMMPA of as much as 138% above and beyond demand and reserve requirements in each year through 2014.
16. Provide the study or specific evidence that establishes the need for Big Stone II capacity being acquired for the City of Hutchinson by MRES.
17. In electronic text or Excel format, provide the input and output files and the documents used to develop the inputs associated with the model runs made in the preparation of the most recent integrated resource plans for:
- a) Otter Tail Power, MPUC Docket No. RP05-968

- b) Montana-Dakota Utilities – 2005 Integrated Resource Plan submitted to the North Dakota Public Utilities Commission
- c) Great River Energy, MPUC Docket No. RP05-1100
- d) Missouri River Energy Services, MPUC Docket No. RP05-1102
- e) Southern Minnesota Municipal Power Agency, MPUC Docket No. ET9/RP-03-966

18. What other utilities, if any, use the IRP-Manager model in addition to OTP?
19. Identify the developer of the IRP-Manager model, used by Otter Tail Power Company (“OTP”). If IRP-Manager was developed by OTP or an agent of OTP, provide a copy of the design document for the model.
20. If not included in the response to Information Request No. 17 above, for every year through 2020, provide the winter and summer capacity ratings for each of the resources in Otter Tail Power Company’s (OTP) Preferred Resource Plan, set forth in the OTP 2006-2020 Resource Plan, MPUC Docket No. RP05-968.
21. If not included in the response to Information Request No. 17 above, provide the market price forecast used in the IRP-Manager model runs for developing the Otter Tail Power Company’s (OTP) 2006-2020 Resource Plan, MPUC Docket No. RP05-968.
22. For each Co-owner, provide the winter and summer peak demands and load capabilities that underlie the surplus/deficit forecasts presented in Figures 14, 16, 18, 20, 22, 24, and 26 of the Certificate of Need Application in this docket.

[Note: These are the same surplus/deficit forecasts presented for the Big Stone II Co-owners in the Exhibits to Section 3 of the Co-owners’ South Dakota Application, SD PUC Docket No. EL05-022.]

23. Refer to the response to ME3/IWLA/UCS/MCEA Amended First Set of Interrogatories, South Dakota PUC Docket EL05-022, Interrogatory 2.

Provide a copy of the HCPD documents identified: 2006-2019 Financial Plan, 2006 – 2008 Budget Variance, 2006 Budget Load Forecast and Power Supply Cost, and 2005 Power Supply Analysis dated May 2005 by Burns & McDonnell.

24. Refer to the response to ME3/IWLA/UCS/MCEA Amended First Set of Interrogatories, South Dakota PUC Docket EL05-022, Interrogatory 2.

Provide a copy of the R W Beck Planning Study.

**STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE MINNESOTA PUBLIC UTILITIES COMMISSION**

Date of Request: March 1, 2006

Requested By: Elizabeth Goodpaster
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Concerned Scientists (UCS), Wind on the Wires (WOW) and Minnesota
Center for Environmental Advocacy (MCEA)*

Request Due: March 13, 2006

**In the Matter of the Application for a
Certificate of Need for Transmission Lines
In Western Minnesota**

**MPUC Docket No. ET-6131, ET-2, ET-
6130, E-252, ET-10, ET-6444, E-017,
ET9/CN-05-619**

**OAH Docket Nos. 12-2500-17037-2 and
12-2500-17038-2**

INFORMATION REQUEST NOS. 25-49 OF ME3, IWLA, UCS, WOW, and MCEA TO BIG
STONE II CO-OWNERS
[PUBLIC VERSION]

*** Please note that some of these information requests refer to Big Stone Co-owners' responses to the sets of Interrogatories and Requests for Production of Documents that ME3, IWLA, UCS and MCEA served in South Dakota PUC Docket EL05-022. Big Stone Co-owners incorporated by reference their responses to that discovery in this docket through their response to Information Request No. 2 and No. 3 of ME3, IWLA, UCS, WOW, and MCEA.*

25. *For information requests 25 thru 29, refer to your response in South Dakota PUC docket EL05-022 (JCO 0001728 – JCO 001732) to Mary Jo Stueve's Request for Production of Documents No. 12, a copy of which response is attached for reference.*

Provide the source documents and calculations that underlie documents JCO 0001728 – JCO 001732.

PUBLIC VERSION

41. Provide a copy of the design document and the manual for the model used in developing SMMPA's 2003 Integrated Resource Plan.
42. Provide a copy of the design document and the manual for the model used in developing MRES's 2005 Resource Plan, MPUC Docket No. RP05-968.
43. Refer to the response to our Third Set of Interrogatories and Requests for Production of Documents in SD PUC EL05-022, Interrogatory No. 12. Provide the specific contract terms and price in Manitoba Hydro's proposal to provide 50 MW to OTP.
44. Quantify the expected average rate impact to residential customers from the BSII project (both in terms of percentage increase and absolute increase over the current tariff) for each of the seven Co-owners. For any Co-owner that does provide retail electric service, provide the expected average rate impact (both in terms of percentage increase and absolute increase over the current tariff) to residential customers of the retail provider for which the power from Big Stone II is projected to serve.
45. Refer to the response to our Third Set of Interrogatories and Requests for Production of Documents in SD PUC EL05-022, Interrogatory No. 18. In its 2005 IRP, MDU states that it "used an avoided cost of \$74.46/kW-yr to determine the cost-effectiveness of" its DSM programs. Explain why use of a combustion turbine as the relevant unit for screening DSM programs is appropriate, and why Big Stone II was not used as the avoided unit. Provide the detailed inputs and calculations from which MDU arrived at an avoided cost of \$74.46/kW-yr.
46. Refer to the response to our Third Set of Interrogatories and Requests for Production of Documents in SD PUC EL05-022, Interrogatory No. 19. At what stage of developing its IRP, and how, did OTP and MDU screen DSM programs using the Ratepayer Impact Test? Provide, in electronic spreadsheet form, the calculations showing these screenings.
47. Refer to the response in South Dakota PUC Docket EL05-022 to SD PUC Staff Request No. 9, a copy of which response is attached for reference.

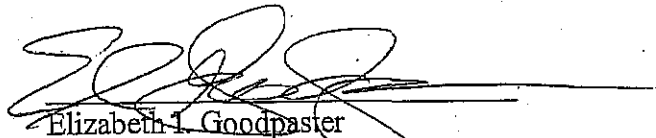
The response states "With the notice from Marshall, the Heartland Board of Directors has set growth goals to replace the Marshall load before the Marshall contract terminates. Since the Board set this goal, Heartland has been adding new customers and load at a rate that is exceeding the goal."

What are the growth goals established by the Board of Directors? What steps has Heartland taken to achieve? Provide detailed documentation of your answers.

48. Please provide the responses to GRE's recent RFP for 120 MW of power.
49. Please identify any instances since January 1, 2003 in which any of the Big Stone II Co-owners solicited proposals for capacity but were unable to obtain any parties willing to sell capacity to them.

PUBLIC VERSION

Dated: March 1, 2006



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**ATTORNEY FOR MINNESOTANS FOR AN
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WALTON LEAGUE OF AMERICA –
MIDWEST OFFICE, UNION OF
CONCERNED SCIENTISTS, AND
MINNESOTA CENTER FOR
ENVIRONMENTAL ADVOCACY**

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**

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 Big Stone II Project)

DOCKET NO. EL05-022

**FOURTH SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS, ON
BEHALF OF MINNESOTANS FOR AN ENERGY-EFFICIENT ECONOMY,
IZAAK WALTON LEAGUE OF AMERICA – MIDWEST OFFICE, UNION OF
CONCERNED SCIENTISTS, AND MINNESOTA CENTER FOR
ENVIRONMENTAL ADVOCACY, TO BIG STONE II CO-OWNERS**

Pursuant to South Dakota Codified Laws 15-6-33, Minnesotans for an Energy-Efficient Economy, Izaak Walton League of America – Midwest Office, Union of Concerned Scientists, and Minnesota Center for Environmental Advocacy request answers to the following Requests within thirty (30) days of service. For all Requests for Production of Documents for which a claim of privilege is stated, please specifically identify the privilege claimed and generally describe the basis for such privilege relative to the subject of the request.

For purposes of these Requests for Production of Documents, the following definitions shall apply.

1. "Application" shall mean the Energy Conversion Facility Permit for Construction of the Big Stone II Project filed with the South Dakota Public Utilities Commission on July 21, 2005 by Otter Tail Corporation d/b/a Otter Tail Power Company on Behalf of Big Stone II Co-owners.
2. "Co-owner" shall mean Central Minnesota Municipal Power Agency; Great River Energy; Heartland Consumers Power District; Missouri River Energy Services, Montana Dakota Utilities Co., a Division of MDU Resources Group, Inc.; Otter Tail Corporation d/b/a Otter Tail Power Company; Southern Minnesota Municipal Power Agency; or Western Minnesota Municipal Power Agency.
3. "Document" shall mean all written, recorded or graphic matters whatsoever.
4. "Identify" or "identification," when used in reference to a person, means to state the person's full name, and present or last known address, and relationship to the Co-owner, if any. When used in reference to a document, "identify" means to state the document's date, subject matter, author, and each addressee or copyee. If the custodian

of the identified document is someone other than the Co-owner, then "identify" shall include the name and address of the custodian.

5. "Intervenors" and "Our" shall mean Minnesotans for an Energy-Efficient Economy, Izaak Walton League of America – Midwest Office, Union of Concerned Scientists, and Minnesota Center for Environmental Advocacy, or their agents.

6. "You" or "Your" shall mean the Co-owners, or agents of the Co-owners.


REQUESTS FOR PRODUCTION OF DOCUMENTS

If any document is withheld upon a claim of privilege, please specifically identify the privilege claimed and provide a privilege log of documents withheld with your response.

1. Please provide the Big Stone II Co-Owners' Responses to Information Request Nos. 3-49 of Minnesotans for an Energy-Efficient Economy, Izaak Walton League – Midwest Office, Wind on the Wires, and Minnesota Center for Environmental Advocacy which were served upon you in Minnesota PUC Docket No. ET-6131, ET-2, ET-6130, E-252, ET-10, ET-6444, E-017, ET9/CN-05-619 and OAH Docket Nos. 12-2500-17037-2 and 12-2500-17038-2, copies of which are attached and made a part hereof.

Dated: March 9, 2006

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**ATTORNEYS FOR MINNESOTANS
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ECONOMY, IZAAK WALTON
LEAGUE OF AMERICA – MIDWEST
OFFICE, UNION OF CONDERNED
SCIENTISTS, AND MINNESOTA
CENTER FOR ENVIRONMENTAL
ADVOCACY**

STATE OF MINNESOTA

OFFICE OF ADMINISTRATIVE HEARINGS

FOR THE PUBLIC UTILITIES COMMISSION

In the Matter of Otter Tail Power Company
and Others for Certification of Transmission
Lines in Western Minnesota

**APPLICANTS' RESPONSES
TO INFORMATION REQUESTS
NOS. 3-24 OF MINNESOTANS FOR
AN ENERGY-EFFICIENT
ECONOMY, ET AL.**

TO: Minnesotans for an Energy-Efficient Economy, Izaak Walton League of America, Union of Concerned Scientists, Wind on the Wires, and Minnesota Center for Environmental Advocacy, by and through their attorneys, Elizabeth Goodpaster, Minnesota Center for Environmental Advocacy, 26 East Exchange Street, Suite 206, St. Paul, Minnesota 55101-1667.

The Big Stone II Co-owners (hereinafter referred to as "Applicants"), by and through their attorneys of record, respond to Minnesotans for an Energy-Efficient Economy, Izaak Walton League of America, Union of Concerned Scientists, Wind on the Wires, and Minnesota Center for Environmental Advocacy's joint Information Requests Nos. 3-24.

GENERAL OBJECTIONS

1. Applicants object to each information request to the extent that it seeks information that is subject to the attorney-client privilege, work product privilege or other privilege on the ground that privileged matter is exempt from discovery.

2. Applicants object to any and all instructions or definitions beyond the requirements imposed or permitted by the Minnesota Rules of Civil Procedure or Minnesota Rules Parts 1400 and 1405.

Unit II and therefore the MAPP Load and Capability Forecast does not accurately reflect the needs of individual members. CMMPA's intent is to help members meet their capacity and energy requirements with the most economical portfolio of resources and not only to supply capacity requirements. While diesel capacity is beneficial to help CMMPA members meet their capacity and reserve requirements, these resources do not provide economic base load or intermediate load energy.

INFORMATION REQUEST NO. 16: Provide the study or specific evidence that establishes the need for Big Stone II capacity being acquired for the City of Hutchinson by MRES.

RESPONSE NO. 16: Applicants object to this information request on the grounds that it seeks information beyond the reasonable scope of discovery authorized by Rule 26 of the Rules of Civil Procedure and Minnesota Rule Part 1400.6700, subpart 2.

INFORMATION REQUEST NO. 17: In electronic text or EXCEL format, provide the input and output files and the documents used to develop the inputs associated with the model runs made in the preparation of the most recent integrated resource plans for:

- (a) Otter Tail Power, MPUC Docket No. RP05-968
- (b) Montana-Dakota Utilities – 2005 Integrated Resource Plan submitted to the North Dakota Public Utilities Commission
- (c) Great River Energy, MPUC Docket No. RP05-1100
- (d) Missouri River Energy Services, MPUC Docket No. RP05-1102
- (e) Southern Minnesota Municipal Power Agency, MPUC Docket No. ET9/RP-03-966

RESPONSE NO. 17:

(a) Otter Tail Power: The input files to the IRP-Manager software used by Otter Tail Power in the development of the Company's latest integrated resource plan are found on the attached CD-ROM disk in the folder labeled "OTP Response IR17-Confidential."

Input data is contained within the IRP-Manager model database in binary form. It is not extractable from the model in electronic form. After working with the model developer, a limited amount of data was able to be extracted by converting input files to text files. The enclosed CD-ROM disk contains the converted files as well as a file index that identifies the contents of each file.

While the written response to this request is not considered proprietary, the data in the folder provided includes information that is considered proprietary in nature. It is impossible to specifically identify each proprietary component within all of the input files, so Otter Tail has chosen to label the entire folder as proprietary.

All IRP-Manager output files are in text format. They can be read into WORD in text format, and can usually be made presentable by switching the font to 10 pt. Arial. The available output files are included in the folder. A number of the detailed hourly output files are turned off in the model because the output files would be hundreds of megabytes in size and are not necessary for evaluation.

The following output files for Otter Tail Power Company's preferred case are included:

BALSHEET.O – Annual Balance Sheet
DEBT.O – Detailed Debt Report
DEFDEB.O – Detailed Deferred Debit Report
DYEAR.O – Annual Summary of Demand Output
EMYEAR.O – Annual Emissions Report
EXASST.O – Detailed Existing Asset Report
FINANIND.O – Financial Indicators Report
FUNDFLOW.O – Detailed Funds Flow Report
FUTASST.O – Detailed Future Asset Report
FYEAR.O – Annual Fuel Usage Report
ICEMDETL.O – ICEM Detailed Output Plan
ICEMFINL.O – ICEM Final Resource Plan
INCSTMNT.O – Income Statement
PROFLOSS.O – Profit/Loss on Market Sales Report
TAXRPT.O – Detailed Tax Report

Additional data that is designated TRADE SECRET INFORMATION – NOT FOR PUBLIC DISCLOSURE is contained in the folder.

(b) Montana-Dakota: Montana-Dakota's 2005 IRP is found on the CD-ROM disk (MDU 00001641) that was produced in response to the Minnesota Department of Commerce's Information Request No. 11.

(c) Great River Energy: Discovery is ongoing with respect to Great River Energy, and the Applicants will supplement their Response to No. 17(c) shortly.

(d) Missouri River Energy Services: See folder labeled "MRES Response to IR 17" on attached CD-ROM disk.

(e) Southern Minnesota Municipal Power Agency: See folder labeled "SMMPA Response to IR 17" on attached CD-ROM disk, which includes 16 EGEAS case files in electronic format, labeled **BASE.OUT; CASE1.OUT; CASE2.OUT; CASE3.OUT; CASE4.OUT; CASE5.OUT; CASE6.OUT; CASE7.OUT; CASE8.OUT; CASE9.OUT; CASE10.OUT; CASE11.OUT; CASE12.OUT; CASE13.OUT; CASE14.OUT; CASE15.OUT**. SMMPA previously provide electronic files of inputs and outputs of its load forecast and DSM screening as a part of replies to the Minnesota Department of Commerce's Information Requests in this docket.

INFORMATION REQUEST NO. 18: What other utilities, if any, use the IRP-Manager model in addition to OTP?

RESPONSE NO. 18: None.

Otter Tail Power has used the software in various forms and updates since its first resource plan filing in 1992. The vendor that supplied the software has been purchased by Itron, and the resource planning software line has been dropped. For the past couple of years, Otter Tail has continued maintenance on the model by periodically hiring the individuals who

RESPONSE NO. 24: A copy of this document is found in the folder labeled "SMMPA

Response to No. 24" on the attached CD-ROM disk.

Respectfully submitted,

LINDQUIST & VENNUM P.L.L.P.

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STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE MINNESOTA PUBLIC UTILITIES COMMISSION

In the Matter of the Application of Otter Tail
Power Company and Others for Certification
of Transmission Facilities in Western
Minnesota,

**APPLICANTS' RESPONSE TO
INFORMATION REQUESTS NOS. 25-26
AND 28-49 OF MINNESOTANS FOR AN
ENERGY EFFICIENT ENVIRONMENT,
ET AL.**

and

In the Matter of the Application to the
Minnesota Public Utilities Commission for a
Route Permit for the Big Stone Transmission
Project in Western Minnesota.

**(PUBLIC DOCUMENT –
TRADE SECRET DATA REMOVED)**

The Applicants hereby respond to Information Requests Nos. 25-26 and 28-49 (there is no Information Request No. 27) of intervenors Minnesotans for an Energy-Efficient Economy, Izaak Walton League of America-Midwest Office, Union of Concerned Scientists, Wind on the Wires, and Minnesota Center for Environmental Advocacy (collectively "Intervenors"), as follows:

GENERAL OBJECTIONS

1. The Applicants object to each one of the information requests to the extent that they seek information beyond the requirements imposed by the Office of Administrative Hearings, the Minnesota Rules of Civil Procedure, and the Minnesota General Rules of Practice for District Courts.

2. Applicants object to the information requests to the extent they seek information and materials that are subject to the attorney-client privilege, work product privilege or other privilege on the ground that privileged matter is exempt from discovery.

I.D. NO. 47: Refer to the response in South Dakota PUC Docket EL05-022 to SD PUC Staff Request No. 9, a copy of which response is attached for reference.

The response states "With the notice from Marshall, the Heartland Board of Directors has set growth goals to replace the Marshall load before the Marshall contract terminates. Since the Board set this goal, Heartland has been adding new customers and load at a rate that is exceeding the goal."

What are the growth goals established by the Board of Directors? What steps has Heartland taken to achieve? Provide detailed documentation of your answers.

RESPONSE NO. 47: Applicants object to this request on the ground that it seeks information that is irrelevant, immaterial, and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving the foregoing objections, Applicants provide the following response:

In early 2005, the Heartland Board of Directors adopted several goals and business objectives. One of the objectives was to grow Heartland's customer base to replace the 60 MW Marshall load by 2016. By January 1, 2006, Heartland had added six new customers with a total peak demand of approximately 21.6 MW. The new customers include four municipal systems in South Dakota (Miller, Langford, Bryant and Sioux Falls) and two new municipals in Minnesota (Madelia and Truman). Heartland is aggressively marketing itself to municipal electric systems and agencies that are in need of supplemental or full-requirements power supply.

I.R. NO. 48: Please provide the responses to GRE's recent RFP for 120 MW of power.

RESPONSE NO. 48: Applicants object to this request on the ground that it seeks information that is irrelevant, immaterial, and not reasonably calculated to lead to the discovery of admissible evidence.

I.R. NO. 49: Please identify any instances since January 1, 2003 in which any of the Big Stone II Co-owners solicited proposals for capacity but were unable to obtain any parties willing to sell capacity to them.

RESPONSE NO. 49: Applicants object to this request on the ground that it seeks information that is irrelevant, immaterial, and not reasonably calculated to lead to the discovery

DATED: March 22, 2006

LINDQUIST & VENNUM P.L.L.P.

By: *Peter Tester*

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**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**

Docket No. EL 05-022

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 Big Stone II Project

**BIG STONE II CO-OWNERS'
OBJECTIONS AND RESPONSES TO
PROPOUNDING INTERVENORS'
FOURTH REQUEST FOR DOCUMENTS**

The Big Stone II Co-owners (hereinafter referred to as "Applicants"), by and through their attorneys of record, make the following objections and responses to the Fourth Set of Requests for Production of Documents propounded by Minnesotans For An Energy-Efficient Economy, Izaak Walton League of America – Midwest Office, Union of Concerned Scientists, and Minnesota Center for Environmental Advocacy ("Propounding Intervenors") dated March 9, 2006.

In order to avoid unduly lengthy objections and responses and in order to avoid repetition of objections, objections that appear frequently in the responses or that have general applicability to all the responses are set forth below. The "Objections of General Application" apply to the Request for Documents. Any documents produced are subject to and provided notwithstanding any objections. The "Objections Raised by Reference" describe the objections that are specifically set forth as to the Request.

Objections of General Application

A. Applicants object to the Request for Documents to the extent that the same purports to seek responses from Applicants' counsel of record, who are not parties to this matter; seeks attorney-work product; or seeks information which is privileged and therefore not subject to discovery.

B. Applicants object to any and all instructions or definitions beyond the requirements imposed by the South Dakota Rules of Civil Procedure.

C. Applicants object to the request to the extent it is unreasonably cumulative or duplicative, or the information sought by the request is obtainable from some another source that is more convenient, less burdensome, or less expensive.

D. Applicants do not waive any of their general or particular objections in the event documents coming within the scope of any such objections are furnished.

E. Applicants object to the request as being irrelevant and not reasonably calculated to lead to the discovery of admissible evidence because the request seeks responses to information requests propounded in proceedings in Minnesota regarding an application for a certificate of need and a route permit for transmission facilities to be located in Minnesota. The issues in the Minnesota proceedings are distinct from the issues in the docket currently pending before the South Dakota PUC for an energy conversion facility siting permit.

Objections Raised by Reference

Counsel for applicants have posed objections to the Information Requests referred to in Propounding Intervenor's request for production which are adopted herein by reference.

REQUEST FOR PRODUCTION

RESPONSE: Applicant has previously served responses to Information Request Nos. 3-49 upon Propounding Intervenor, which responses are also available on the project extranet site. Applicant has served public and non-public versions of the responses on Propounding Intervenor. Any portions of Applicant's Responses denoting "trade secret data" or "trade secret material" shall be deemed as appropriately designated as "Attorney's Eyes Only" pursuant to the Amended Confidentiality Agreement in this matter.

LINDQUIST & VENNUM P.L.L.P.

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May 3, 2006

BY MESSENGER

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Re: *In the Matter of the Application for a Certificate of Need for Transmission Lines in Western Minnesota*
Minnesota PUC Docket No.: E017/CN-05-619

Dear Beth:

Enclosed is another copy of GRE's response to I.R. No. 17 with an accompanying index for your convenience. The information on the enclosed disk is identical to what we sent you and Synapse by letter dated February 13, 2006; I am not sure why you were not able to open up the output files that were on the disk, since we could. Nonetheless, here is the data again.

With respect to your request for supplemental responses to I.R. No. 17 regarding "the documents used to develop the inputs associated with the model runs made in the preparation of the most recent integrated resources plans," Otter Tail and SMMPA have confirmed that they have provided all of the responsive information to I.R. No. 17. No further data exists. If you believe additional information exists notwithstanding, please identify it with specificity and we will conduct further investigation.

We are seeking confirmation from the other Applicants that they too have provided all of the information responsive to I.R. #17, and we will let you know those responses as they are communicated to us. In the meantime, it would be helpful if you identified with specificity what information you believe exists with respect to I.R. No. 17 but has not been produced by the Applicants.

I would point out that the Applicants have provided the intervenors with an extraordinary and unprecedented amount of information regarding the Applicants' IRPs, forecasts and related information, numbering into the tens of thousands of pages. The Applicants have even provided the intervenors with the manuals for the IRPs. Based on these submissions, the intervenors

LINDQUIST & VENNUM P.L.L.P.

Elizabeth Goodpaster, Esq.
May 3, 2006
Page 2

should be able to conduct their own calculations and evaluations regarding the Applicants' IRPs and proposed projects, including Big Stone Unit II.

Please feel free to contact me if you have any questions.

Very truly yours,

LINDQUIST & VENNUM P.L.L.P.



Peter L. Tester

PT/caf
Enclosures

cc: Todd Guerrero, Esq.
Synapse Energy Economics

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May 3, 2006

BY FEDERAL EXPRESS

Elizabeth Goodpaster, Esq.
Minnesota Center for Environmental Advocacy
26 East Exchange Street
Suite 206
St. Paul, MN 55101-1667

***Re: In the Matter of the Application for a Certificate of Need for Transmission
Lines in Western Minnesota
Minnesota PUC Docket No.: E017/CN-05-619***

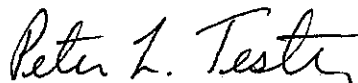
Dear Beth:

Enclosed and served upon you is the Applicants' Supplemental Response to Information Requests Nos. 25-49, based on your letter of March 30, 2006. The Applicants do not have any further response to I.R. Nos. 36 and 48.

Please feel free to contact me if you have any questions.

Very truly yours,

LINDQUIST & VENNUM P.L.L.P.



Peter L. Tester

PT/caf
Enclosures

cc: Todd Guerrero, Esq.
Synapse Energy Economics

Goodpaster, Beth

From: Goodpaster, Beth
Sent: Friday, April 07, 2006 12:19 PM
To: Peter L. Tester
Subject: FW: Intervenors' RFP 4 in EL05-022; and Intervenors' IR No. 17 in CN-05-619

Since I was not confident on the phone yesterday that I was recalling all the issues correctly, I am just re-sending to you my email that identified the "other discovery issues" besides the ones that your planned correspondence is to address. Would appreciate your response on these questions as soon as possible.
 Thank you,

Beth Goodpaster
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From: Goodpaster, Beth
Sent: Friday, March 24, 2006 3:10 PM
To: 'Peter L. Tester'
Cc: tguerrero@lindquist.com
Subject: Intervenors' RFP 4 in EL05-022; and Intervenors' IR No. 17 in CN-05-619

Peter,
 Wondering if there is further word from your Big Stone clients regarding their response to our Request for Production of Documents (Third Set, SD Docket), No. 4, which I emailed you about on Wednesday.

We have also run into problems with the response to our IR No. 17 in the Minnesota docket. After reviewing the response to IR No. 17 (b), we think it is non-responsive. The question specifically requests that MDU provide "In electronic text or Excel format...the input and output files and the documents used to develop the inputs associated with the model runs made in preparation of the most recent integrated resource plans."
 From MDU's 2005 IRP and the answers to our IR No. 40, we understand that MDU used a computer model and a spreadsheet in developing its 2005 IRP. The files relevant to this request were not provided. Please note that when you do provide the requested files, the spreadsheet that was used to screen DSM should include the formulas and any other information "hidden" in the spreadsheet.

In reviewing the response to MCEA IR No. 17 (e), we have some questions about the response. It refers to a MN DOC Information Requests, though it does not say which one(s). Assuming that it refers to the response to DOC IR No. 25, the responses to DOC IR No. 25 posted on the virtual data room have had their trade secret data excised. It seems that some files are missing from what are listed to be responsive, and others may have important information erased. We need all trade secret files.

5/8/2006

We are still in the process of reviewing your responses to our IR Nos. 25-49, but suffice it to say for the moment, we need to discuss these with you. I will email you about that set of discovery separately.

Thank you for your attention to these matters.

Beth Goodpaster
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5/8/2006

Goodpaster, Beth

From: Goodpaster, Beth
Sent: Tuesday, April 18, 2006 4:26 PM
To: 'Peter L. Tester'
Subject: MCEA IR No. 17(a)

I also received clarification on the Otter Tail Power model runs that we wanted to get in response to our IR No. 17 (a). It looks like Otter Tail modeled five plans in addition to the Preferred Plan, as set forth in Section 9 of the Resource Plan: 1) the environmental externality optimization, 2) a Big Stone II plant sensitivity, 3) a wind sensitivity, 4) the 50% conservation and renewables plan, and 5) the 75% conservation and renewables plan. As I mentioned on the phone, we received the modeling files for the Preferred Plan, but not for the other five plans discussed in Section 9 of the Resource Plan. Your prompt attention to providing the additional modeling files is appreciated.

Thanks,

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Goodpaster, Beth

From: Goodpaster, Beth
Sent: Wednesday, May 03, 2006 12:17 PM
To: Todd J. Guerrero; 'Peter L. Tester'; 'cwmadsen'
Subject: Discovery in Big Stone II cases
Importance: High

Gentlemen:

In a conversation with Peter yesterday afternoon, I learned for the first time that the Big Stone II Co-owners may be objecting to providing the information that has not been provided in response to our Information Request No. 17 (which was also sought by reference in our Fourth Set of Requests for Production of Documents in the SD Docket). As you know, the original IR No. 17 was served January 13 and our Fourth RFP in SD that includes IR No. 17 was served March 9.

As I have discussed with Peter on multiple occasions over on the phone and via email, the information sought in IR No. 17, and not provided, includes:

- Documents used to develop the inputs used in GRE/SMMPA/OTP/MDU/MRES Resource Plan modeling runs
- The OTP input and output files for the IRP modeling runs for the five scenarios analyzed in the IRP (that are in addition to the "Preferred Plan" scenario; input/output files for the Preferred Plan have been provided)

I also raised with Peter yesterday that the GRE output files for the IRP modeling runs have not been provided.

Our consultants need the entirety of data sought in IR No. 17 in order to prepare their testimony that is currently due May 19, 2006 in the South Dakota proceeding.

If no responses are forthcoming today, our next step is to contact John Smith at the SDPUC to schedule a motion to compel responses and to seek relief from the May 19 testimony deadline.

We have given a lengthy extension on IR Nos. 58-63, premised on the fact that such an extension would facilitate the timely receipt of all other outstanding discovery. A mistaken decision on my part, apparently, since we still have not received promised supplemental responses to IR Nos. 25-49, a subject we addressed in March 30, 2006, correspondence and later telephone conversations; nor responses to IR Nos. 50-57.

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5/8/2006

Goodpaster, Beth

From: Goodpaster, Beth
Sent: Thursday, May 04, 2006 3:50 PM
To: Peter L. Tester; Todd J. Guerrero
Subject: IR No. 17

I talked to our consultants further today, after they looked again at the GRE Response to IR No. 17. We still believe that we have not received all the input/output files associated with the IRP modeling runs that GRE ran. By way of explanation: on page 98 of the 2005 GRE IRP, there is a diagram of the modeling process that GRE used. The diagram shows three boxes, one for "PVRP Comparison", another for "Stochastic Risk Analysis" and another for "Scenario Risk Analysis". Although, unlike OTP, GRE provided files for all the resource scenarios it analyzed, GRE appears not to have provided any input/output files related to the portions of the modeling process depicted by the three boxes on page 98 of the IRP; for example, there appears to be no PVRP information for the scenarios modeled. It is unclear whether all risk analyses input/output files were provided (the other two boxes). All of these would have been input/output files within the scope of IR No. 17, and based on our review, these files have still not been provided.

Please let me know whether we can expect a prompt supplementary response. Thanks.

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5/8/2006