

**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

**NOTICE OF MOTION AND MOTION TO COMPEL DISCOVERY AND
TO EXTEND DEADLINE FOR INTERVENOR TESTIMONY**

To: Big Stone II Co-owners and their attorneys, Thomas J. Welk and Christopher W. Madsen, Boyce, Greenfield, Pashby and Welk, 101 N. Phillips Ave., #600, P.O. Box 5015, Sioux Falls, SD 57117-5015; Todd J. Guerrero and Peter L. Tester, Lindquist and Vennum, 4200 IDS Center, 80 South Eighth Street, Minneapolis, MN 55402-2274.

NOTICE OF MOTION

PLEASE TAKE NOTICE, that Minnesota Center for Environmental Advocacy (“MCEA”), Minnesotans for an Energy-Efficient Economy (“ME3”), Izaak Walton League of America – Midwest Office (“IWLA”), and the Union of Concerned Scientists (“UCS”), (collectively, “Intervenors”) will move the South Dakota Public Utilities Commission (the Commission) as set forth in more detail below, for orders compelling discovery and extending the deadline for Intervenors’ pre-filed testimony in this matter, and for recovery of their costs of these motions, including attorney fees.

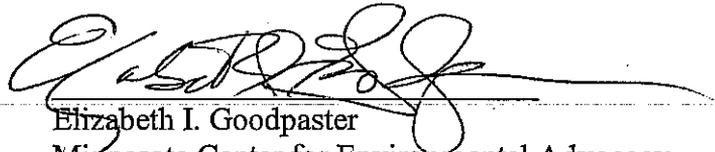
MOTIONS

These motions are brought pursuant to ARSD 20:10:01:22.01, and upon the accompanying Affidavit of Elizabeth I. Goodpaster, with Appendix of Exhibits thereto, and Affidavit of David A. Schlissel. Specifically, the motions request the following relief:

1. An order compelling full and complete responses by the Big Stone II Co-owners to discovery in accordance with the South Dakota Public Utilities Commission Administrative Rules.

2. An order amending the procedural schedule in this proceeding to grant Intervenors an extension for the filing of pre-filed testimony that allows Intervenors until May 26, 2006, to prepare and submit their testimony, assuming their prompt receipt of full and complete discovery responses.
3. An order awarding Intervenors their costs, including attorney's fees necessitated by these motions.

Dated: May 8, 2006



Elizabeth I. Goodpaster
Minnesota Center for Environmental Advocacy
26 E. Exchange Street, Suite 206
St. Paul, MN 55101
(651) 223-5969
(651) 223-5967 (fax)
bgoodpaster@mncenter.org

John H. Davidson
213 USD Law Building
414 East Clark Street
Vermillion, SD 57069
(605) 677-6341
(605) 677-5417 (fax)

Michael D. O'Neill
Johnson Provo-Peterson, LLP
332 Minnesota Street, Suite West 975
St. Paul, MN 55101
(651) 227-2534
(651) 297-6226 (fax)

**ATTORNEYS FOR MINNESOTANS FOR AN
ENERGY-EFFICIENT ECONOMY, IZAAK
WALTON LEAGUE OF AMERICA –
MIDWEST OFFICE, UNION OF
CONCERNED SCIENTISTS, AND
MINNESOTA CENTER FOR
ENVIRONMENTAL ADVOCACY**