

Boyce, Greenfield, Pashby & Welk, LLP

JUN 26 2006

SOUTH DAKOTA PUBLIC UTILITIES COMMISSION
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Attorneys at Law

June 22, 2006

101 N. Phillips Ave., Suite 600
Sioux Falls, SD 57104

Karen Cremer
SD Public Utilities Commission
500 East Capitol
Pierre, SD 57501

P.O. Box 5015

Re: Big Stone II Siting Permit
Our File No. 11402.000

Sioux Falls, SD 57117-5015

Dear Karen:

P: 605-336-2424

Enclosed please find the Stipulation Regarding Appearance of Witnesses which Ms. Goodpaster, Ms. Stueve and I have signed. Please sign where indicated and file with the Commission with the appropriate number of copies.

F: 605-334-0618

Thank you.

www.bgpw.com

Sincerely yours,

Russell R. Greenfield

BOYCE, GREENFIELD, PASHBY & WELK, L.L.P.

Gary J. Pashby

Thomas J. Welk

Christopher W. Madsen

Michael S. McKnight

CWM/vjj

Gregg S. Greenfield

Enclosure

Roger A. Sudbeck

cc: Bruce Gerhardson (via email to bgerhardson@ottertail.com)

Lisa K. Marso

Todd Guerrero (via email to tguerrero@lindquist.com)

Heather R. Springer*

Elizabeth Goodpaster (via email to bgoodpaster@mncenter.org)

Darin W. Larson

Mary Jo Stueve (via email to mj_stueve@hotmail.com)

Michael F. Tobin

Christopher W. Madsen

Sherri L. Rotert**

Charles A. Larson

Joanne M. Haase+

*Also licensed in Kansas

**Also licensed in Colorado

+Also licensed in Minnesota

J.W. Boyce (1884-1915)

RECEIVED

JUN 26 2006

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

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. EL 05-022

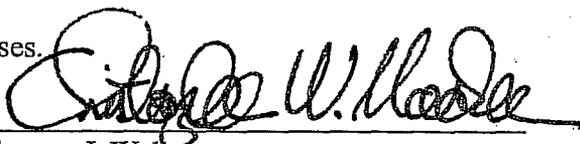
STIPULATION REGARDING
APPEARANCE OF WITNESSES

The parties have conferred regarding the necessity of calling certain witnesses to appear at the final hearing in this docket, presently scheduled to occur June 26 through June 30. Because it appears that the direct testimony provided by Janelle Johnson, Anne Ketz and Tina Pint is not disputed or otherwise at issue in this proceeding, in an effort to save time at the hearing and avoid unnecessary expense to bring said witnesses to Pierre, Big Stone II Co-owners ("Applicant"), Staff of the South Dakota Public Utilities Commission ("Staff"), Intervenors Minnesotans for an Energy Efficient Economy, Izaak Walton League of America - Midwest Office, Union of Concerned Scientists, and Minnesota Center for Environmental Advocacy (collectively referred to as "MCEA") and Mary Jo Stueve, pro se, agree and stipulate as follows:

1. Applicant witnesses Janelle Johnson, Anne Ketz and Tina Pint may submit affidavits certifying that their direct testimony in this matter filed on March 15, 2006 is true and correct and is the testimony they would give if called to testify at the final hearing in this matter. Accordingly, these witnesses need not appear at the final hearing to provide any live testimony.
2. Staff, MCEA and Mary Jo Stueve waive any cross examination of Applicant witnesses Janelle Johnson, Anne Ketz and Tina Pint.

3. In the event any of the Commissioners wish to ask any questions of Applicant witnesses Janelle Johnson, Anne Ketz or Tina Pint, Applicant shall make arrangements for the witness to be available by telephone to provide responses.

Dated this 22 day of June, 2006


Thomas J. Welk
Christopher W. Madsen
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David L. Sasseville (156000)
Todd J. Guerrero (0238478)
LINDQUIST & VENNUM
4200 IDS Center
80 South 8th Street
Minneapolis, MN 55402

Attorneys for Co-owners

Dated this _____ day of June, 2006

Karen Cremer
South Dakota PUC
500 East Capitol Avenue
Pierre, SD 57501

Attorney for Staff of Public Utilities
Commission

Dated this _____ day of June, 2006

Elizabeth I. Goodpaster
MN Center for Environmental Advocacy
26 E. Exchange Street #206
St. Paul, MN 55101

Attorney for MCEA

Dated this 14 day of June, 2006



Mary Jo Stueve - pro se
196 East 6th Street #401
Sioux Falls, SD 57104

3. In the event any of the Commissioners wish to ask any questions of Applicant witnesses Janelle Johnson, Anne Ketz or Tina Pint, Applicant shall make arrangements for the witness to be available by telephone to provide responses.

Dated this ____ day of June, 2006

Thomas J. Welk
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Dated this 9th day of June, 2006

Attorneys for Co-owners


Karen Cremer
South Dakota PUC
500 East Capitol Avenue
Pierre, SD 57501

Attorney for Staff of Public Utilities
Commission

Dated this ____ day of June, 2006

Elizabeth I. Goodpaster
MN Center for Environmental Advocacy
26 E. Exchange Street #206
St. Paul, MN 55101

Attorney for MCEA

Dated this ____ day of June, 2006

Mary Jo. Stueve - pro se
196 East 6th Street #401
Sioux Falls, SD 57104

3. In the event any of the Commissioners wish to ask any questions of Applicant witnesses Janelle Johnson, Anne Ketz or Tina Pint, Applicant shall make arrangements for the witness to be available by telephone to provide responses.

Dated this _____ day of June, 2006

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Attorneys for Co-owners

Dated this _____ day of June, 2006

Karen Cremer
South Dakota PUC
500 East Capitol Avenue
Pierre, SD 57501

Attorney for Staff of Public Utilities
Commission

Dated this 16th day of June, 2006



Elizabeth I. Goodpaster
MN Center for Environmental Advocacy
26 E. Exchange Street #206
St. Paul, MN 55101

Attorney for MCEA

Dated this _____ day of June, 2006

Mary Jo. Stueve - pro se
196 East 6th Street #401
Sioux Falls, SD 57104