



Jim Wilcox, Manager,  
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May 8, 2007

Ms. Patricia Van Gerpen, Executive Director  
South Dakota Public Utilities Commission  
State Capitol Building  
500 East Capitol Avenue  
Pierre, South Dakota 57501-5070

**RECEIVED**

MAY 10 2007

**SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION**

Dear Ms. Van Gerpen:

Re: EL05-028 – Indemnity Bond

Enclosed please find an indemnity bond for \$50,000 as required by SDCL 49-41B-38 and agreed to in a settlement agreement between Xcel Energy and the South Dakota Public Utilities Commission in Docket EL05-028 - In the Matter of the Application of Xcel Energy For a Construction Permit to Build 9.65 Miles of the Buffalo Ridge to Brookings County 115 KV Transmission Line, Two 0.4 Mile Brookings County to White 345 KV Transmission Lines, the Brookings County Substation and to Add Facilities to the White Substation.

If anyone has any questions, please call me at 339-8350

Sincerely,

A handwritten signature in cursive script that reads 'J Wilcox'.

Jim Wilcox



MEMORANDUM

Date: 5/2/2007

To: Patty Van Gerpen, Executive Director  
South Dakota Public Utilities Commission  
500 East Capitol Avenue  
Pierre, SD 57501-5070

From: Jim Sawyer, Insurance Administrator  
414 Nicollet Mall, 4<sup>th</sup> Floor  
Minneapolis, MN 55401  
Phone: 612-215-5375  
Fax: 612-330-6792

Reference: South Dakota Public Utilities Commission – \$50,000 Right of Way/Construction  
Permit Bond No. 190-017-567

Enclosed is the South Dakota Public Utilities Commission – \$50,000 Right of Way/Construction  
Permit Bond No. 190-017-567, Northern States Power Company. Please keep this bond on file. If  
this bond is no longer required, please mark “void” and return it to my attention.

If you have any questions please let me know.

Regards,

A handwritten signature in black ink that reads 'Jim Sawyer'.

**SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION**

Bond 190-017-564

**LICENSE OR PERMIT BOND**

KNOW ALL BY THESE PRESENTS, That we, Northern States Power Company d/b/a Xcel Energy  
414 Nicollet Mall, 4th Floor, Minneapolis, MN 55401

as Principal, and the Liberty Mutual Insurance Company, a Massachusetts corporation,  
as Surety, are held and firmly bound unto South Dakota Public Utilities Commission  
500 E. Capitol Avenue, Pierre, SD 57501, as Obligees,  
in the sum of Fifty Thousand and 00/100

Dollars (\$ 50,000.00)

for which sum, well and truly to be paid, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

Signed and sealed this 30th day of April, 2007.

THE CONDITION OF THIS OBLIGATION IS SUCH, That WHEREAS, the Principal has been or is about to be granted a license or permit to do business as Right of Way / Construction Permit by the Obligees.

NOW, Therefore, if the Principal well and truly comply with applicable local ordinances, and conduct business in conformity therewith, then this obligation to be void; otherwise to remain in full force and effect.

PROVIDED, HOWEVER; 1. This bond shall continue in force:

Until \_\_\_\_\_, \_\_\_\_\_, or until the date of expiration of any Continuation Certificate executed by the Surety

OR

Until canceled as herein provided.

2 This bond may be canceled by the Surety by the sending of notice in writing to the Obligees, stating when, not less than thirty days thereafter, liability hereunder shall terminate as to subsequent acts or omissions of the Principal.



Northern States Power Company d/b/a Xcel Energy  
Principal

By James W. Sawyer  
JAMES W. SAWYER, Insurance Administrator

Liberty Mutual Insurance Company

By Cynthia L. Hanak  
Cynthia L. Hanak Attorney-in-Fact

ACKNOWLEDGMENT BY SURETY

STATE OF Missouri }  
City of St. Louis } ss.

On this 30th day of April, 2007, before me personally  
appeared Cynthia L. Hanak, known to me to be the Attorney-in-Fact of  
Liberty Mutual Insurance Company

\_\_\_\_\_, the corporation  
that executed the within instrument, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in the aforesaid  
County, the day and year in this certificate first above written.

My Commission Expires: June 20, 2010  
(Seal)

**JOANN R. FRANK  
NOTARY PUBLIC - NOTARY SEAL  
STATE OF MISSOURI, ST. LOUIS CITY  
MY COMMISSION EXPIRES 06-20-10  
COMMISSION #06395672**

John R. Frank  
JoAnn R. Frank  
Notary Public in the State of Missouri  
City of St. Louis

THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND.

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

LIBERTY MUTUAL INSURANCE COMPANY
BOSTON, MASSACHUSETTS
POWER OF ATTORNEY

KNOW ALL PERSONS BY THESE PRESENTS: That Liberty Mutual Insurance Company (the "Company"), a Massachusetts stock insurance company, pursuant to and by authority of the By-law and Authorization hereinafter set forth, does hereby name, constitute and appoint PAMELA A. BEELMAN, CYNTHIA L. HANAK, HEIDI A. NOTHEISEN, DEBRA C. SCHNEIDER, KAREN L. ROIDER, JOANN R. FRANK, ALL OF THE CITY OF ST. LOUIS, STATE OF MISSOURI.....

, each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations in the penal sum not exceeding FIFTY MILLION AND 00/100\*\*\*\*\* DOLLARS (\$ 50,000,000.00\*\*\*\*\* ) each, and the execution of such undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents, shall be as binding upon the Company as if they had been duly signed by the president and attested by the secretary of the Company in their own proper persons.

That this power is made and executed pursuant to and by authority of the following By-law and Authorization:

ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings.

Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

By the following instrument the chairman or the president has authorized the officer or other official named therein to appoint attorneys-in-fact:

Pursuant to Article XIII, Section 5 of the By-Laws, Garnet W. Elliott, Assistant Secretary of Liberty Mutual Insurance Company, is hereby authorized to appoint such attorneys-in-fact as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

That the By-law and the Authorization set forth above are true copies thereof and are now in full force and effect.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Liberty Mutual Insurance Company has been affixed thereto in Plymouth Meeting, Pennsylvania this 3rd day of October 2006

LIBERTY MUTUAL INSURANCE COMPANY

By Garnet W. Elliott, Assistant Secretary



COMMONWEALTH OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 3rd day of October, 2006, before me, a Notary Public, personally came Garnet W. Elliott, to me known, and acknowledged that he is an Assistant Secretary of Liberty Mutual Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Liberty Mutual Insurance Company thereto with the authority and at the direction of said corporation.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at Plymouth Meeting, Pennsylvania, on the day and year first above written.



COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Teresa Pastella, Notary Public
Plymouth Twp., Montgomery County
My Commission Expires Mar. 28, 2009
Member, Pennsylvania Association of Notaries

By Teresa Pastella, Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of Liberty Mutual Insurance Company, do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this certificate; and I do further certify that the officer or official who executed the said power of attorney is an Assistant Secretary specially authorized by the chairman or the president to appoint attorneys-in-fact as provided in Article XIII, Section 5 of the By-laws of Liberty Mutual Insurance Company.

This certificate and the above power of attorney may be signed by facsimile or mechanically reproduced signatures under and by authority of the following vote of the board of directors of Liberty Mutual Insurance Company at a meeting duly called and held on the 12th day of March, 1980.

VOTED that the facsimile or mechanically reproduced signature of any assistant secretary of the company, wherever appearing upon a certified copy of any power of attorney issued by the company in connection with surety bonds, shall be valid and binding upon the company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said company, this 30th day of April, 2007



By David M. Carey, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, bank deposit, currency rate, interest rate or residual value guarantees.

To confirm the validity of this Power of Attorney call