

**Douglas, Tina (PUC)**

---

**From:** Smith, John (PUC)  
**Sent:** Wednesday, October 25, 2006 4:38 PM  
**To:** 'biverson@blackhillscorp.com'  
**Cc:** Robert S. Lee; Andrew P. Moratzka; Knadle, Bob; Jacobson, David; Cremer, Karen; Senger, Keith; Bettmann, Martin; Solem, Nathan; rgtsbs@comcast.net; Wegman, Steve (PUC); tld@mcmlaw.com; kwhite@bh-corp.com; jsargent@bh-corp.com; ckilpatrick@bh-corp.com; mtruhe@blackhillscorp.com; Forney, Heather; Douglas, Tina (PUC); Kolbo, Delaine  
**Subject:** RE: EL06-019, BH Rate case--extension of procedural schedule

Thank you. I will consider your responses to be a stipulation among all parties to a two week extension of the dates for the filing of testimony and other procedural dates. By my reckoning, this will move the date for Staff and Intervenors Testimony back to November 10 and for BHP's Rebuttal back to November 22. As you probably know, scheduling alternative hearing dates can be problematic since we then have the Commissioners' schedules to deal with. For that reason, at this time, I suggest we do a Second Scheduling Order and Order Cancelling Hearing, and as we get a little further along, we'll do another Notice of Hearing if that proves necessary. I will cc this message to Heather Forney, our scheduling officer, to let her know of the change and of the need to search for alternative hearing dates. When she has located available dates, I'll circulate them to you to make sure of your availability. Once we've cleared alternative hearing dates, we'll reserve them, but put off doing the Notice of Hearing until we believe the settlement process in at an impasse. How does this sound to everybody?

-----Original Message-----

**From:** biverson@blackhillscorp.com [mailto:biverson@blackhillscorp.com]  
**Sent:** Wednesday, October 25, 2006 4:10 PM  
**To:** Smith, John (PUC)  
**Cc:** Robert S. Lee; Andrew P. Moratzka; Knadle, Bob; Jacobson, David; Cremer, Karen; Senger, Keith; Bettmann, Martin; Solem, Nathan; rgtsbs@comcast.net; Wegman, Steve (PUC); tld@mcmlaw.com; kwhite@bh-corp.com; jsargent@bh-corp.com; ckilpatrick@bh-corp.com; mtruhe@blackhillscorp.com  
**Subject:** RE: EL06-019, BH Rate case--extension of procedural schedule

Mr. Smith: Black Hills also has no objection to extending the procedural schedule by two weeks.

-----  
**CONFIDENTIALITY STATEMENT:** This electronic message transmission contains information from Brian Iverson of the Black Hills Corporation legal department. It is protected by the attorney/client privilege. If it has been sent to you in error, be aware that any disclosure, copying, distribution, or use of the contents of this transmission is prohibited. If you have received this electronic transmission in error, please notify me by telephone at (605) 721-2305; then delete this message without copying it or further reading.

Brian G. Iverson  
Senior Counsel  
Black Hills Corporation  
625 Ninth Street  
Rapid City, SD 57701  
Email: biverson@blackhillscorp.com  
Tele: (605) 721-2305  
Fax: (605) 721-2550

"Robert S. Lee" <rs1@mcmlaw.com>

10/25/2006 03:02 PM

To <Karen.Cremer@state.sd.us>, <biverson@blackhillscorp.com>, "Andrew P. Moratzka" <apm@mcmlaw.com>, <tld@mcmlaw.com>, <John.Smith3@state.sd.us>  
cc <rgtsbs@comcast.net>, <Steve.Wegman@state.sd.us>, <Bob.Knadle@state.sd.us> <David.Jacobson@state.sd.us>, <Keith.Senger@state.sd.us>, <Martin.Bettmann@state.sd.us>, <Nathan.Solem@state.sd.us>

10/26/2006

Subject RE: EL06-019, BH Rate case--extension of procedural schedule

Mr. Smith: Karen Cremer's understanding is correct as far as our clients Merillat, Pope & Talbot, GCC Dacotah and Rushmore are concerned. We have no objection to delaying the due dates for testimony by two weeks to allow settlement discussions to occur. Bob Lee



1400 AT&T Tower  
901 Marquette Avenue  
Minneapolis, MN 55402-2859  
Phone : 612.305.1448

**Robert S. Lee**  
**Attorney at Law**

[rs1@mcmlaw.com](mailto:rs1@mcmlaw.com)  
[www.mcmlaw.com](http://www.mcmlaw.com)

[Download My  
Information as  
vCard](#)  
[Download my  
as PDF](#)

**IMPORTANT NOTICE:**

*This email message, including attachments, is covered by the Electronic Communications Privacy Act, 18 U.S.C. 2510-2521, and for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, copying, disclosure or distribution is prohibited. If you are not the intended recipient, please contact sender by phone or reply via email and destroy all copies of the original message. Thank you.*

**Any tax information contained in this email or its attachments is not intended, and cannot be used by the taxpayer or any other person, to avoid any civil or criminal tax penalties which the Internal Revenue Service or another governmental agency may impose on the taxpayer or any other person for acting in reliance upon information contained in this email or its attachments.**

Main tel: 612-305-1400  
Main fax: 612-305-1414

-----Original Message-----

**From:** Karen.Cremer@state.sd.us [mailto:Karen.Cremer@state.sd.us]  
**Sent:** Wednesday, October 25, 2006 3:22 PM  
**To:** biverson@blackhillscorp.com; Robert S. Lee; Andrew P. Moratzka; tld@mcmlaw.com; John.Smith3@state.sd.us  
**Cc:** rgtubs@comcast.net; Steve.Wegman@state.sd.us; Bob.Knadle@state.sd.us; David.Jacobson@state.sd.us; Keith.Senger@state.sd.us; Martin.Bettmann@state.sd.us; Nathan.Solem@state.sd.us  
**Subject:** EL06-019, BH Rate case--extension of procedural schedule

Mr. Smith:

It is my understanding that all the parties involved in this matter have agreed to extend the procedural schedule for a period of two weeks so that settlement discussions can continue without having to

contend with testimony deadlines. The Intervenors and Black Hills should respond to Mr. Smith by email as to whether they agree with the granting of this extension. If you have any questions, please do not hesitate to contact me.

Karen E. Cremer  
Public Utilities Commission  
Staff Attorney  
500 East Capitol Avenue  
Pierre, SD 57501  
605/773-3201  
605/773-3809 (fax)

*This message may contain confidential and/or privileged information. If you are not the addressee or authorized to receive this for the addressee, you must not use, copy, disclose, or take any action based on this message or any information herein. If you have received this message in error, please advise the sender immediately by reply e-mail and delete this message. Thank you for your cooperation.*

\*\*\*\*\*

Message scanned for viruses by mailMAX