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MAY 22 2006

SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

May 19, 2006

Patty VanGerpen, Ex. Director  
SD Public Utilities Commission  
500 E Capitol  
Pierre SD 57501

Re: In the Matter of the Application by Otter Tail Power Company on Behalf of Big Stone II Co-Owners for an Energy Conversion Facility Permit for the Construction of Big Stone II Project (EL05-022)  
Our File No. 11402.000

Dear Ms. Van Gerpen:

Please find enclosed for filing the original Joint Motion and Stipulation to Amend Second Scheduling Order and Procedural Order.

Sincerely yours,

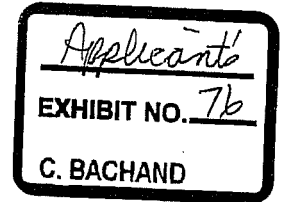
BOYCE, GREENFIELD, PASHBY & WELK, L.L.P.

Christopher W. Madsen

CWM/vjj

Enclosure

cc (via email): John J. Smith  
John Davidson  
Lesley J. Adam  
Michael D. O'Neill  
Elizabeth Goodpaster  
Casey Davidson  
Mary Jo Stueve  
Karen Cremer  
Bruce Nilles  
Patrick Gallagher  
George Hays  
Sanjay Narayan  
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J.W. Boyce (1884-1915)

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MAY 22 2006

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTASOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

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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

**JOINT MOTION AND STIPULATION TO  
AMEND SECOND SCHEDULING AND  
PROCEDURAL ORDER**

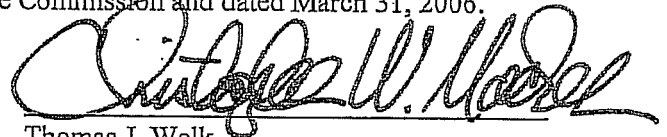
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Applicants, by and through their attorneys of record and Intervenors, Minnesota Center for Environmental Advocacy, Minnesotans for an Energy Efficient Economy, Izaak Walton League of America- Midwest Office and the Union of Concerned Scientists (hereinafter collectively referred to as "MCEA"), by and through their attorneys of record, jointly move and stipulate as follows:

1. MCEA's motion to compel discovery is withdrawn. Applicant shall provide responses to IR 17, which is a request for information served in the matter of the Application for a Certificate of Need for Transmission Lines in Western Minnesota, Minnesota Public Utilities Commission Docket No. ET-6131, ET-2, ET-6130, E-252, ET-10, ET-6444, E-017, ET/CN-05-619 and incorporated by reference in MCEA's Fourth Set of Requests for Production of Documents dated March 9, 2006 and served in this docket, as limited by MCEA and agreed by the parties.
2. The Second Scheduling and Procedural Order dated March 31, 2006 be amended as follows:
  - a. MCEA shall file and serve the direct testimony of David Schlissel/Anna Sommer of Synapse Energy pertaining to information provided in response to IR 17 no later than 5:00 PM CDT on Friday, May 26, 2006.

- b. Applicants shall file any testimony rebutting the Schlissel/Sommer testimony filed and served on May 26 no later than 5:00 PM on Friday, June 16, 2006.
- c. Any surrebuttal testimony pertaining to the rebuttal testimony filed by the Applicants shall be filed and served no later than 12:00 noon on Thursday, June 22, 2006.
- d. All other testimony shall be filed and served as set forth in the Second Scheduling and Procedural Order entered by the Commission and dated March 31, 2006.

Dated this 12<sup>th</sup> day of May, 2006.



Thomas J. Welk  
Christopher W. Madsen  
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101 N. Phillips Avenue - #600  
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(605) 336-2424  
Attorneys for Big Stone II Project

Dated this 12<sup>th</sup> day of May, 2006.



Elizabeth I. Goodpaster  
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and

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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  
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Docket No. EL 05-022

JOINT MOTION AND STIPULATION TO  
AMEND SECOND SCHEDULING AND  
PROCEDURAL ORDER

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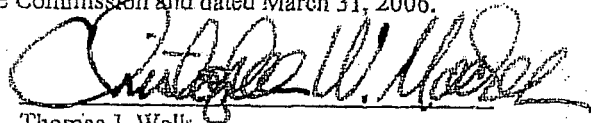
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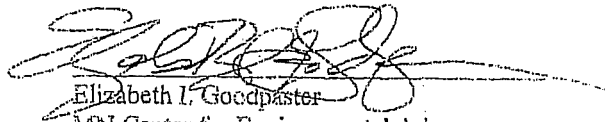
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Dated this 12<sup>th</sup> day of May, 2006.



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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. EL 05-022

CERTIFICATE OF SERVICE

I, Christopher W. Madsen, do hereby certify that I am a member of the law firm of Boyce, Greenfield, Pashby & Welk, L.L.P., attorneys for the Co-owners of Big Stone II Project and that on the 12th day of May, 2006, true and correct copies of the Joint Motion and Stipulation to Amend Second Scheduling and Procedural Order were served via email to the following addresses listed on the E-Service List:

John H. Davidson [john.davidson@usd.edu](mailto:john.davidson@usd.edu)  
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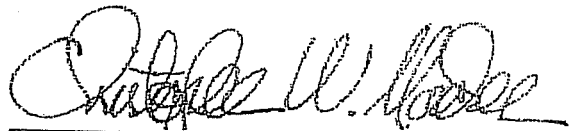
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Dated this 12th day of May, 2006.



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