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SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**

IN THE MATTER OF THE FILING BY)	ELO1-027
OTTER TAIL CORPORATION REGARDING)	
ITS NOTIFICATION OF INTENT TO)	MOTION TO RECONSIDER
APPLY FOR A PERMIT FOR AN ENERGY)	ORDER OF DECEMBER 5, 2001
CONVERSION FACILITY)	

COMES NOW Otter Tail Corporation pursuant to ASRD 20:10:01:29 by its undersigned counsel of record, and moves the Public Utilities Commission ("Commission") to reconsider its Order Designating Affected Area and Local Review Committee dated December 5, 2001, and upon reconsideration to modify the composition of the Local Review Committee, upon the following grounds and for the following reasons:

1. The Committee includes Minnesota residents and members of Minnesota governmental entities. The designation of residents of another state to represent the interests of persons or political subdivisions in another state is beyond the jurisdiction of the Commission and of the State of South Dakota. Furthermore, such a designation violates the sovereignty of the State of South Dakota.

2. As designated in the Order, Minnesota representatives outnumber South Dakota representatives. It clearly violates the sovereignty of the State of South Dakota to permit nonresidents to potentially control a siting and a development under SDCL Ch. 49-41B.

3. Historically, the State of Minnesota has not granted comparable representation to citizens of the State of South Dakota.

This motion is based upon the accompanying memorandum of authorities and all the records and files in this docket.

016239323

Dated this 3rd day of January, 2002.

MAY, ADAM, GERDES & THOMPSON LLP

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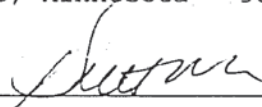
CERTIFICATE OF SERVICE

Brett M. Koenecke of May, Adam, Gerdes & Thompson LLP hereby certifies that on the 3rd day of January, 2002, he mailed by United States mail, first class postage thereon prepaid, a true and correct copy of the foregoing in the above-captioned action to the following at their last known addresses, to-wit:

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