



Kristie Fiegen, Chairperson
Gary Hanson, Vice Chairperson
Chris Nelson, Commissioner

South Dakota

PUBLIC UTILITIES COMMISSION

500 East Capitol Avenue
Pierre, South Dakota 57501-5070
www.puc.sd.gov

Capitol Office
(605) 773-3201

Grain Warehouse
(605) 773-5280

Consumer Hotline
1-800-332-1782

Email
puc@state.sd.us

January 30, 2018

Liberty Mutual Insurance Company
175 Berkeley Street
Boston, MA 02116

Re: In the Matter of the Petition of Otter Tail Power Company for Order Accepting Certification of Permit Issued in Docket EL06-002 to Construct Big Stone Transmission Line and Substations in Grant and Deuel Counties
EL12-063

In the Matter of the Application of Northern States Power Company dba Xcel Energy and Otter Tail Power Company for a Permit to Construct the Big Stone South to Brookings County 345 kV Transmission Line
EL13-020

Enclosed please find the following documents:

1. An executed Release for an indemnity bond issued to Northern States Power Company and Otter Tail Power Company, bond number 190033663, EL12-063.
2. The original Bond issued in EL12-063.
3. An executed Release for an indemnity bond issued to Northern States Power Company and Otter Tail Power Company, bond number 190033662, EL13-020.
4. The original Bond issued in EL13-020.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Karen E. Cremer

Karen E. Cremer
Commission Attorney

Enclosure

Cc/enc: Brett Koenecke
Patricia Van Gerpen



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To: Liberty Mutual Insurance Company

RELEASE

Liberty Mutual Insurance Company issued an indemnity bond (Bond No. 190033663) in the amount of \$150,000 (Bond) at the request of Northern States Power Company and Otter Tail Power Company, as Principal, for the benefit of South Dakota Public Utilities Commission, as Obligee.

Obligee hereby fully and unconditionally discharges and releases the Bond and releases Liberty Mutual Insurance Company, its parents, affiliates and subsidiaries from any and all past, present and future liability under said Bond. Contemporaneous with the execution of this Release, the Bond is discharged and the Obligee shall return the original Bond to Liberty Mutual Insurance Company and Obligee hereby surrenders any and all rights associated with the Bond. This Release is effective as of January 30, 2018.

The undersigned warrants that he or she has the authority to execute this Release on behalf of the Obligee and to bind the Obligee hereunder.

SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

By: Karen E. Cremer
Karen E. Cremer
Commission Attorney

Date: Jan 30, 2018

SOUTH DAKOTA ENERGY FACILITY PERMIT ACT BOND

Bond No. 190033663
Bond Amount: \$150,000.00
Docket No. EL 12-063

RECEIVED
MAY 26 2015
**SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION**

Northern States Power Company, a Minnesota Corporation dba Xcel Energy and Otter Tail Power Company, as Principal (the "Principal") and Liberty Mutual Insurance Company, a corporation created and existing under the laws of Massachusetts, as Surety (the "Surety"), are held and firmly bound unto the South Dakota Public Utilities Commission ("PUC"), and those townships, counties, or other governmental entities in South Dakota whose property is crossed by the transmission line referenced herein, as Obligees (individually referred to herein as "Obligee" and collectively referred to as the "Obligees") in the amount of One Hundred Fifty Thousand and No/100---(\$150,000.00)--- lawful money of the United States for the payment of which sum the Principal and the Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally.

WHEREAS:

- A. The Principal is undertaking a transmission line project known as the Big Stone Transmission Line and Substations Project;
- B. The PUC has approved the Principal's application for the Project;
- C. The Principal has been granted the necessary permits by the PUC to carry out the Project;
- D. Chapter 49-41B-38 of the South Dakota Energy Facility Permit Act requires the Principal to provide the PUC with a bond to ensure the Principal complies with its obligation to ensure that any damage to roads and bridges (beyond normal wear) as a result of the Project is repaired;

Therefore, the condition of this obligation is such that if the Principal shall repair any damage beyond normal wear to public roads, highways, bridges, or other related facilities caused by the Principal during the construction of the Project (the "Damage") then this obligation shall be void; otherwise to remain in full force and effect, subject to the following conditions:

1. In the event the Principal fails to repair any Damage within a reasonable period of time after an Obligee has made written demand on the Principal to repair such damage (a "Default"), such Obligee shall notify the Surety in writing prior to the expiration of the term of this bond as defined in paragraph 6.
2. Following a Default and written notice thereof to the Surety by the Obligee, the Surety shall pay to such Obligee the actual cost of repairing the Damage, not to exceed the Bond Amount.
3. Regardless of the number of Obligees hereunder, in no event shall the aggregate liability of the Surety hereunder exceed the Bond Amount.
4. No right of action shall accrue on this Bond, to or for the use of, any person or corporation other than the Obligees named herein.
5. It is a condition of this Bond that any suit or action hereunder must be commenced before the expiration of two (2) years from the date of the Obligee's cause of action hereunder has accrued.
6. This bond shall remain in effect until released by the PUC in accordance with Condition #11 of the permit for the Project and shall not be cancelled by the Surety prior to such time.
7. For the purpose of providing any notice required pursuant to this Bond, the addresses of the Principal, the Surety and the PUC are as follows:

Northern States Power Company, a Minnesota Corporation dba Xcel Energy and
Otter Tail Power Company
414 Nicollet Mall
Minneapolis, MN 55401

South Dakota Public Utilities Commission
Capitol Building, 1st Floor
500 East Capitol Avenue
Pierre, SD 57501-5070

Liberty Mutual Insurance Company
175 Berkeley Street
Boston, MA 02116

This bond shall become effective the 1st day of August, 2015.

IN WITNESS WHEREOF, the Principal and the Surety have signed and sealed this bond the 8th day of
May, 2015.

Northern States Power Company, a Minnesota Corporation dba Xcel Energy
and Otter Tail Power Company

By: *John Lutz*



Liberty Mutual Insurance Company

By: *Cynthia E. Choren*
Cynthia E. Choren, Attorney-In-Fact

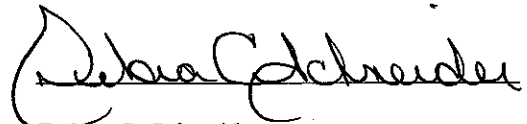
ACKNOWLEDGMENT BY SURETY

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

On this 8th day of May, 2015, before me personally appeared Cynthia L. Choren, 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.



Debra C. Schneider
Notary Public in the State of Missouri
County of St. Charles

My Commission Expires: May 20, 2016

(Seal)



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.

Certificate No. 6927021

American Fire and Casualty Company
The Ohio Casualty Insurance Company

Liberty Mutual Insurance Company
West American Insurance Company

POWER OF ATTORNEY

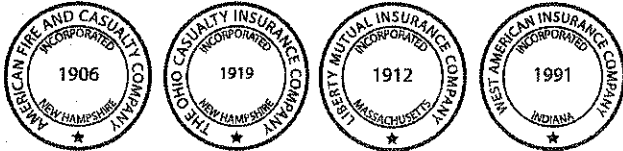
KNOWN ALL PERSONS BY THESE PRESENTS: That American Fire & Casualty Company and The Ohio Casualty Insurance Company are corporations duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, Cynthia L. Choren; Debra C. Schneider; Heidi A. Notheisen; JoAnn R. Frank; Karen L. Rolder; Nancy L. Johnson; Pamela A. Beelman; Sandra L. Ham

all of the city of St. Louis state of MO 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 pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 30th day of March, 2015.

American Fire and Casualty Company
The Ohio Casualty Insurance Company
Liberty Mutual Insurance Company
West American Insurance Company

By: David M. Carey
David M. Carey, Assistant Secretary



STATE OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 30th day of March, 2015, before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of American Fire and Casualty Company, Liberty Mutual Insurance Company, The Ohio Casualty Insurance Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS 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
Notary Seal
Teresa Pastella, Notary Public
Plymouth Twp., Montgomery County
My Commission Expires March 28, 2017
Member, Pennsylvania Association of Notaries

By: Teresa Pastella
Teresa Pastella, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of American Fire and Casualty Company, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

ARTICLE IV - OFFICERS - Section 12. Power of Attorney. Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation 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 Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

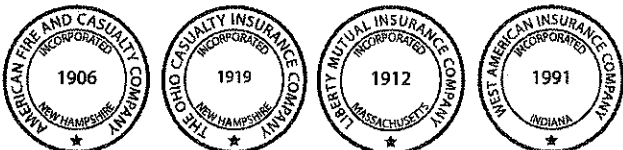
ARTICLE XIII - Execution of Contracts - SECTION 5. Surety Bonds and Undertakings. Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as 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.

Certificate of Designation - The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

Authorization - By unanimous consent of the Company's Board of Directors, the Company consents that 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.

I, Gregory W. Davenport, the undersigned, Assistant Secretary, of American Fire and Casualty Company, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 8th day of May, 2015.



By: Gregory W. Davenport
Gregory W. Davenport, Assistant Secretary

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

To confirm the validity of this Power of Attorney call 1-610-832-8240 between 9:00 am and 4:30 pm EST on any business day.

MAY ADAM

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ROBERT B. ANDERSON
TIMOTHY M. ENGEL
MICHAEL F. SHAW
BRETT KOENECKE
CHRISTINA L. KLINGER
JUSTIN L. BELL
DOUGLAS A. ABRAHAM
KARA C. SEMMLER
A.J. FRANKEN

May 21, 2015

Writer's E-mail: brett@mayadam.net

OF COUNSEL
DAVID A. GERDES
CHARLES M. THOMPSON
GLENN W. MARTENS 1881-1968
KARL GOLDSMITH 1886-1966
BRENT A. WILBUR 1949-2006

TELEPHONE
605 224-8808

FAX
605 224-6289

RECEIVED

MAY 26 2015

**SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION**

John Smith
SD Public Utilities Commission
500 E. Capitol
Pierre, SD 57501

RE: In the Matter of the Application of Northern States Power Company dba Xcel Energy and Otter Tail Power Company for a Permit to Construct the Big Stone South to Brookings County 345 kV Transmission Line, EL 13-020; and

In the Matter of the Petition of Otter Tail Power Company for Order Accepting Certification of Permit Issued in Docket EL06-002 to Construct Big Stone Transmission Line and Substations in Grant and Deuel Counties, EL 12-063.

Our File: 6500

Dear Mr. Smith:

Enclosed please find the original Bonds ordered by the Commission in the above referenced dockets. We are offering these Bonds for your consideration and acceptance if they are acceptable. If you have any changes upon your review, please do let me know and we will endeavor to make changes as necessary. Otherwise, please do accept these on behalf of Xcel Energy and Otter Tail Power as fulfilling part of their requirements to build the Big Stone to Brookings project.

Very truly yours,

MAY, ADAM, GERDES & THOMPSON LLP


BRETT KOENECKE

BK/sjs
Enclosure

Cc/enc: Chris Rogers
Joe Samuel
Service List
MAY, ADAM, GERDES & THOMPSON LLP
503 SOUTH PIERRE STREET • P.O. Box 160
PIERRE, SOUTH DAKOTA 57501-0160