

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA

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In the Matter of the Request for a Declaratory Ruling Regarding the Electric Service Territory Boundary Between Charles Mix Electric Association, Inc. and NorthWestern Corporation, d/b/a/ Northwestern Energy

EL13 – 004

Motion and Application  
for Evidential Hearing

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COMES NOW the Petitioner in the above-entitled matter, Charles Mix Electric Association, Inc., and pursuant to ARSD 20:10:01:15 hereby requests that the Public Utilities Commission allow the parties to submit testimony by lay and expert witnesses in support of their respective causes at an evidential hearing on the matter. In particular, Petitioner intends to call Mark Mengershauser, General Manager of Charles Mix Electric Association, Inc. and Brett R. Kennedy, Registered Professional Land Surveyor, of Eisenbraun and Associates, Inc., Yankton, South Dakota. Petitioner further requests that the Public Utilities Commission issue notice of this contested hearing and schedule said evidential hearing for April 23, 2013, at the hour of 9:30 o'clock a.m. before the South Dakota Public Utilities Commission, 500 E. Capitol, First Floor, Pierre, South Dakota; or such other date, place, and time as the Commission may order.

Dated this 4<sup>th</sup> day of April, 2013.

/s/ Michael J. Whalen

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