

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

In the Matter of the Application of Otter Tail Power Company for an Energy Conversion Facility Permit for the Construction of a Combustion Turbine Generator and Associated Infrastructure Including a Natural Gas Pipeline and Electric Transmission Line near Astoria, South Dakota

EL17-042

MOTION FOR JUDICIAL NOTICE

Pursuant to SDCL 1-26-19 and 19-19-201, Applicant Otter Tail Power Company (“Otter Tail”) moves the Public Utilities Commission of the State of South Dakota (“the Commission”) for an order taking judicial notice of two orders filed in the Commission’s docket captioned *In Matter of the Application by Basin Electric Power Cooperative, Inc. for an Energy Conversion Facility Siting Permit for the Deer Creek Station Project Combined-Cycle Natural Gas Energy Conversion Facility and Associated Infrastructure, Including a Water Supply System and Electric Transmission System*, Docket EL 09-015 (“Deer Creek Docket”):

1. Order Granting Waiver; Order Designating Affected Area and Local Review Committee dated February 5, 2009, which is attached as Exhibit 1.
2. Order Granting Motion for Extension of Notice, Public Hearing Time Frame and Application for Party Status and Order Granting Waiver dated September 15, 2009, which is attached as Exhibit 2.

Based on the foregoing, Otter Tail requests the Commission enter an order taking judicial notice of the Deer Creek Docket.

Dated this 14th day of November, 2017.



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CERTIFICATE OF SERVICE

I, Jason R. Sutton, do hereby certify that I am a member of Boyce Law Firm, LLP, attorneys for Otter Tail Power Company and that on the 14th day of November 2017, a true and correct copy of the foregoing and this Certificate of Service were served via email to the following addresses listed:

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